

Animal Cruelty Officers and the Intersections of Daily Labour and the Law

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Dedication

I dedicate my thesis to the hard-working people who labour in animal protection and rescue. From their infinite commitment and perseverance, I learned to never give up. I stand in solidarity with you.

Abstract

This study explores the relationship between animal cruelty investigation work and the legal terrain. Specifically, I analyze how Ontario's animal cruelty investigation officers understand and navigate the legal requirements of their work. A convenience sample of eight animal cruelty investigation officers participated in this study. The data was viewed through an interspecies solidarity and gendered labour process lens. The results show that there are significant structural and interpersonal constraints, particularly mixed levels of support from the Crown Attorneys and veterinarians. At the same time, the officers exercise their agency to try and improve the efficacy of animal cruelty enforcement and prosecution. Overall, the structural constraints and the exercise of agency are both central to the officers' daily labour. This study grounds the findings in solutions and proposes ways to strengthen anti-cruelty work.

Keywords: human animal studies, multispecies labour studies, law enforcement, animal cruelty investigation work, animal cruelty

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Chapter 1: Introduction

i. Introduction

One of the most important events that sparked my academic interest in the issues at the heart of this study occurred during one of my volunteer shifts at a local humane society. I had arrived for an after-hours shift to socialize and photograph the cats on a relatively quiet evening in the shelter. Volunteers and paid workers alike were busy caring for the animals when a male officer stormed into the shelter. He was visibly upset, swearing, and crying. He quickly disappeared into a staff-only section in the back. Listening keenly to the noises coming from behind the walls, I heard yelling and objects being flung around. I approached the male shelter staff behind the front desk and asked, “Is he okay?” He then replied, “Yeah, he is just upset about a call he received. He could not get the dog out of the situation he was in. The law would not help this animal, you know.” The male officer then emerged, still visibly upset. As he walked by, he mumbled under his breath, “That dog is as good as dead.”

It was in this moment that I first recognized the challenges and limitations animal cruelty officers confront through their work. The officers must grapple with many difficulties, including lack of basic resources, recurring workplace abuse, secondary stress disorder, and the lack of funding (Coulter & Fitzgerald, 2016). They are tasked with enforcing outdated legislation. They must work with Crown Attorneys and other actors in the justice system who have uneven levels of interest in prosecuting crimes against animals. These are all substantial matters that restrict and restrain officers, and their ability to protect animals.

Yet despite these significant constraints, enforcers are making a difference for animals (and people). The law allows them to correct behavior, enlist certain punitive tools, and seize animals, when warranted. Moreover, they have some discretionary powers and have developed strategies for overcoming real and perceived barriers (Smith, Novak, Frank, & Lowenkamp, 2005). Put in sociological terms, I argue that there are significant structural constraints on animal cruelty investigators, but officers also possess agency and they proactively or responsively shape the outcomes of their work to some degree. This dynamic, and the lessons that can be gleaned from it, propel my analysis.

My research was designed to address the following research question: How do cruelty investigation officers at the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) branches and affiliated humane societies in Ontario understand and navigate the legal requirements and limitations of their work? This thesis thus contributes knowledge about how humane law enforcement officers in Ontario negotiate structural constraints in their organizational contexts and within the criminal justice system. There is a notable paucity of studies focusing on the experiences of anti-cruelty officers. Whilst some research has been conducted on animal cruelty work and workers (Arluke, 2004; Coulter & Fitzgerald, 2019), the tension between the structural and legal constraints and the agency of animal cruelty officers in Canada, or Ontario remains under-examined.

As noted above, at its core this study is about structure and agency and how they are navigated in a specific human-animal labour context. First, I identify what the legal constraints are. Second, I examine how the officers express their agency and how the

workers' decisions and assessments impact the lives of animals as they confront the various structural and interpersonal limitations of their work.

This research is motivated by an interest in finding improvements and solutions. Therefore, by building from the data, I also propose ways to strengthen cruelty investigation labour and policy to better serve the workforce and vulnerable animals, as well as people and society as a whole. I seek to bridge the well-being of workers and animals, and, in some circumstances, the latter's guardians. This project thus aims to both help revitalize and improve animal cruelty work, guided by an awareness that improving the conditions of the workers will improve the well-being of the animals they serve to protect (Coulter, 2016).

ii. Rationale

This interdisciplinary research is situated in the intersections of labour studies, critical animal studies, and to a lesser degree, critical legal studies. My rationale for this project is three-fold, which draw upon insights from animal sentience, the human-animal violence link, and worker well-being. Firstly, animal cruelty is significant because of the harm it causes to animals. Nonhuman animals are sentient beings; they can feel pain or pleasure and can suffer from abuse. Nonhuman animals show intelligence, awareness, emotionality, and virtue, and have the ability to communicate with each other (Balcombe, 2016).

What is known about animal sentience primarily extends from the fields of cognitive ethology and evolutionary cognition. For example, several studies have demonstrated the various emotions of animals. Perhaps the most comprehensive account of animal emotions is found in the work of Bekoff (2000). Bekoff (2000) details the grief

of chimpanzees, sea lion mothers as they watch their children being eaten by killer whales, or orphaned elephants who have seen their mothers killed. Embarrassment is another emotion Bekoff (2000) examines, highlighting the experiences of chimpanzees. Other studies that focused on rats yielded a discovery of play, and rats laugh when tickled (Pankseep & Burgdorf, 2003). Research has found that monkeys will reject unfair rewards (Brosnan & Waal, 2003) and that there is play and moral behaviour in many mammals (Allen & Bekoff, 2005). Both the Hawaiian and New Caledonian species of crows are highly skilled and natural tool users (Klump, Masuda, Clair, & Rutz, 2018). In other words, there is a rich collection of research on animals of various kinds and their intellectual, social, and emotional lives. Yet, despite the growing collection of evidence of other species' sentience (see for example, Aaltola, 2012; Allen & Bekoff, 2005; Balcombe, 2016; Bekoff, 2000; Brosnan & Waal, 2003; Marino & Colvin, 2015; Proctor, 2012), the Criminal Code of Canada only recognizes animals as property. Nevertheless, animals' sentience and my interest in reducing and eliminating their suffering is a key motivator for this research.

Another key engine driving my study is the human-animal violence link. There is a growing body of literature substantiating and interrogating the connection between animal cruelty and interpersonal violence, particularly intimate partner abuse, child abuse, and elder abuse (see for example, Ascione & Arkow, 2000; DeGue, 2011; Fitzgerald, 2005; Linzey, 2009). Interdisciplinary research on animal cruelty has established theories on the etiology and relationality of animal abuse to human abuse. Empirical research on the frustration and strain theory, for example, suggests that perpetrators of animal abuse express their aggression and frustration through the animal

or retaliate against the animal or another person (Fitzgerald, Stevenson, & Berbora, 2016). Reports indicate, the abusive relationship, along with the bond between the victim and the companion animal, will delay a woman from leaving their abuser (Stevenson, Fitzgerald, & Barrett, 2018). Similarly, there is a co-occurrence of violence between pets and nine out of ten women in Canada (Fitzgerald, Barrett, Stevenson, & Cheung, 2019) and at least one in four in the United States (Stevenson et al., 2018). While the numbers and empirical data vary between studies, all identify the link.

Strong and effective animal cruelty legislation is one way to help prevent human abuse (Fox, 2000). Crucially, as Coulter and Fitzgerald (2016) affirm, legislation requires effective enforcement, hence my focus on the front-line workers in the OSPCA's inspectorate. Animal cruelty investigators are often the first to visit a troubled household with multiple areas of need (Ascione & Arkow, 2000), making their work vital in confronting the violence link and enforcing existing laws.

As I have elucidated above, this research is also motivated by an interest in the well-being of workers and animals, and in animal cruelty investigations as a potential arena for more humane jobs. Animal cruelty officers work in a profession that directly benefits animals. However, workers experience secondary stress disorder, verbal and physical abuse, harassment, sexism, and belittlement (Coulter & Fitzgerald, 2016). The officers work in law enforcement, but their responsibilities also has similarities with social work; they see people coping with illness and poverty, and animals experiencing neglect or distress (Coulter & Fitzgerald, 2016). In the context of humane jobs, animal cruelty investigation work is clearly an area in need of improvement. Accordingly, worker well-being is another central motivator for my research.

Humane jobs and interspecies solidarity emerged in 2016 as part of Coulter's (2016) intersectional approach to multispecies labour. Both concepts form the foundation of this study and offer many salient insights into the study of multispecies labour and human-animal studies. Firstly, the term interspecies solidarity invites us to understand and approach labour as both a process and a political relationship by introducing new ways of thinking and acting (Coulter, 2016, p. 153). The idea of interspecies solidarity, thus, challenges us to change and disrupt normal labour processes by considering animals (Coulter, 2016). Secondly, the term interspecies solidarity calls for us to change the way we view our relationship with animals; they "cannot be seen as subordinates or as tools, and their needs and desires must be taken seriously through changes in perceptions and practices, and through regulation and enforcement" (Coulter, 2016, p. 155). In many ways, Western values and laws have, for centuries, reflected the need to protect (at least some) animals from what is deemed unnecessary suffering to varying degrees (Lockwood, 2006). Animal cruelty investigation work demonstrates the social and ethical need to regard animals' experiences and to forge more meaningful and just multispecies societies. Animal law and the labour of enforcement are both in need of improvement in the spirit of interspecies solidarity.

In this study, my intellectual work is a demonstration of interspecies solidarity and my interest in creating more humane jobs. Interspecies solidarity and humane jobs are a social justice response to animal cruelty that can be used to help reimagine cruelty investigation work. Humane jobs are paramount to "more just and sustainable societies and economies and should play a more central role in labour and animal advocacy projects, job creation, and community development and in how we think about work-

lives” (Coulter, 2016, p. 163). Humane jobs are a broad term that invites us to conceptualize work relations “that are good for both people and animals” (Coulter, 2016, p. 163), which encompasses many types of labour and occupational sectors human-animal work relations. Linking human and animal well-being to create new jobs, or to strengthen existing work is the spirit and foundational goal of humane jobs (Coulter, 2017). What Coulter and Fitzgerald (2019) have called the compounding feminization of animal cruelty work is also salient and reaffirms that this is a gendered issue, as well.

Succinctly, animal cruelty investigations have potential to be humane jobs. Animals benefit from the work by being protected from harm. But humane jobs must also be good for people. Cruelty investigations labour will always be physical and emotionally challenging; there are steps that could be taken to improve the quality and safety of the work, however. By using a humane jobs lens, I am challenged to think about ways to strengthen and *create more* humane jobs, both numerically and in terms of the quality of the working conditions (Coulter, 2017a). All of these prospects are propelled by and interwoven with a vision of a more just multispecies society.

As has been shown, this research is significant because of the intersecting issues of the harm caused to animals, people, and front-line workers. These dynamics are also gendered and disproportionately affect women, both female officers, and the victims of domestic abuse. I am motivated to generate knowledge that can help forge a better way forward for all.

iii. Context: Humane Societies and Workers

The following is a brief description of humane societies and their workers to provide context. The first SPCA was formed in Ontario in 1873 in response to people’s

concerns about the well-being of animals and children (Coulter & Fitzgerald, 2016). Today, the OSPCA is a network of nongovernmental organizations/charities that also provide sheltering services and humane education, along with enforcement of provincial and federal animal cruelty laws. In 2012, the Ontario government began providing \$5.5 million in public funding to bolster the OSPCA's training of enforcement officers, expand its work with First Nations communities, and create a Major Case team. This amount covered one third of the OSPCA's animal protection budget (Coulter & Fitzgerald, 2016), and the organization used private donations to fill in the gap. This situation presents challenges and tensions, as the charity not only raises funds but also acts as an enforcing agent. This is despite the fact that the work is mandated and governed by provincial and federal laws. Moreover, in fall 2018, the leadership of the OSPCA announced that it would be "right-sizing" the enforcement branch, and only allocating the funding provided by the provincial government to investigations. In other words, it would cease to use donor dollars for enforcement (Casey, 2018). The results would be a reduction in provincial coverage and the ultimate end to investigations involving suspected cruelty against horses and farmed animals, as announced in early 2019.

Recently the OSPCA's policing power has been questioned, specifically because the OSPCA is not subject to the same oversight channels or accountability measures as police forces and publicly-funded enforcement agencies (such as the Police Services Act, freedom of information requests, and the Ombudsman Act). In January of this year, an Ontario Superior Court judge deemed the policing and investigative powers unconstitutional (*Bogaerts v. Attorney General of Ontario*, 2019), thereby creating a new

principle of justice: law enforcement agencies must be transparent and accountable to the public. The court gave the Ontario government 12 months to rewrite the laws. The Ontario government responded by filing a notice of appeal (The Canadian Press, February 1, 2019).

However, on March 1st, the leadership of the OSPCA announced it will cease to enforce the animal cruelty laws when their contract expires on April 1, giving the government one-month notice. The Ontario government subsequently requested the agency proceed with their enforcement power legislation until they pass new legislation. The OSPCA turned this request down, saying that enforcement of animal law lays with the police, but agreeing to enforce laws pertaining to companion animals (that is, not when suspected cruelty involves horses or farmed animals) (Casey, 2019b). As of June 28th, the OSPCA no longer enforces animal cruelty laws in Ontario (Casey, 2019a).

To synthesize this timeline of events concerning the OSPCA enforcing cruelty laws:

- October 2018 – the leadership of the OSPCA announced it would be restructuring, subsequently pulling back from investigating cruelty cases involving horses and livestock.
- January 2019 - an Ontario Superior Court judge deemed the policing and investigative powers of the OSPCA unconstitutional.
- March 2019 – the leadership of the OSPCA announced it will cease to enforce the animal cruelty laws on April 1st.
- March 2019 – the Ontario government requested the agency proceed with their enforcement power until they pass new legislation. The OSPCA turned

this request down, offering a three-month extension urging the government to utilize police services to enforce the laws.

- June 28th, 2019 – the OSPCA no longer enforces animal cruelty laws in Ontario.

In 2017, the OSPCA investigated 15,519 complaints (OSPCA, 2017), a number which does not include ongoing investigations from the previous year (Coulter & Fitzgerald, 2019), nor the numbers of cases covered by police forces. The OSPCA structure includes branches and local affiliated humane societies which are empowered to enforce due to their affiliation with the OSPCA. When Coulter and Fitzgerald (2016) studied the inspectorate, there were 91 officers for all of Ontario, 58% of whom work for affiliated humane societies. Notably, some also have additional responsibilities other than enforcement, such as shelter management, fundraising, animal care, and animal control work for the municipality (Coulter, 2019).

Since the introduction of provincial funding in 2012, there has been an increase in the number of complaints investigated and orders issued. Notably, despite the increase in investigations and orders, the animals removed have been decreasing. Analyzing this in the legal context, it appears that in 2010, the provincial and criminal charges were moderately on par with one another. However, after the provincial funding was introduced, the utilization of provincial legislation increased, with the most substantial amount of charges occurring in 2017. In particular, criminal charges have decreased over the years. I am not suggesting this is the result of the injection of public funding, however, but rather noting the prosecutorial trend.

Table 1: Year over Year Comparison - The Legal Picture

Year	<i>Complaints Investigated</i>	<i>Orders Issued</i>	<i>Provincial Charges Laid</i>	<i>Criminal Charges Laid</i>	<i>Animals Removed because of an Investigation</i>
2010	12,819	1,618	170	124	1,991
2012	16,483	2,473	255	41	2,016
2013	17,680	2,320	259	29	2,469
2014	17,991	2,756	348	26	1,724
2015	17,357	4,241	334	21	1,974
2016	16,936	4,289	444	22	1,664
2017	15,519	3,988	573	21	1,220
Note: 2011 data not available					

Information compiled from OSPCA Annual Reports

**Missing from these numbers are data from police forces who also may investigate animal cruelty complaints and lay charges.*

A significant indicator of the extensive workload, as well as the officers' commitment, is the fact that complaints investigated have steadily increased over the years, but a downward trend is apparent in 2016 and 2017. This is all despite the reduction in officers covering the workload. Unlike other law enforcement agencies, animal cruelty officers in Ontario are mostly women. In 2016, 62% of the 91 officers were female (Coulter & Fitzgerald, 2019). Staffing numbers have also changed.

In 2005, the OSPCA reported that there were nearly 200 workers covering Ontario (OSPCA, Summer 2005), however most of these were volunteers, not paid enforcement officers. As noted above, in 2018, there were just under 70 officers who respond to animal cruelty concerns across the entire province of Ontario (The Canadian Press, October 31, 2018). Notably, at the start of 2019 that number decreased to an approximate number of 60 officers for the entire province (Coulter, 2019).

Those involved in investigations are “generally required to have completed post-secondary training in police foundations, law and security education, or animal enforcement” (Coulter & Fitzgerald, 2016, p. 5). The OSPCA provides new hires with 16 weeks of animal cruelty investigation work training (Coulter & Fitzgerald, 2016, p. 5), but there have been no new recent hires. In addition, shorter training sessions are held throughout the year (Coulter & Fitzgerald, 2016). Agents, whom make up the largest number of officers, earn \$19 to \$22 per hour. Inspectors earn \$22 to \$25 per hour, while a senior inspector, of which there are only a few, can make \$30 to \$32 per hour (Coulter & Fitzgerald, 2016).

Officers do not work with partners or have access to the Canadian Police Information Centre (CPIC). CPIC offers law enforcement specific information about individuals such as “if they have a criminal record or possess a registered firearm” (Coulter & Fitzgerald, 2016, p. 9) so that officers know who they are dealing with and whether the person owns a gun. Additionally, Coulter and Fitzgerald (2016) report that Ontario’s animal cruelty officers often work in remote regions without access to reliable cellphones. Although human-centered police can assist when needed, Coulter and Fitzgerald (2016) note that this is not always reliable as they are busy themselves, and such relationships are ad hoc, rather than formalized. These workplace conditions and lack of resources, along with gendered dynamics, leave the officers in precarious and dangerous situations (Coulter & Fitzgerald, 2019). Notably, Coulter and Fitzgerald (2019) also note that a large majority of animal cruelty officers would like to see stronger animal cruelty laws and that the legislation is an important factor in their relative workplace satisfaction.

iv. Animal Cruelty Legislation

The first Canadian law making animal cruelty a punishable offense was implemented in 1854 in Nova Scotia, and it protected horses, sheep, and cattle (Baynger, 2013, p. 14). In 1892, animal cruelty provisions were established federally in the Criminal Code of Canada (Sorenson, 2003). Today, animal laws of different kinds are included at federal, provincial, and municipal (by-laws) levels. Anti-cruelty law on a criminal level is governed by federal legislation, while provincial law sets out the policing powers of the investigators, and the basic rights afforded to animals. As noted above, Ontario's animal cruelty officers were legally sanctioned to enforce federal animal cruelty provisions and provincial statutes. Moreover, provinces are empowered to create regulations and delegate certain regulatory responsibilities to municipalities. Provincial regulations are similar to the federal laws; they include both summary or indictable offences and can impose fines or imprisonment, or a combination of both. (Kostman & Pyzer Barristers, n.d).

Legal scholars and advocates alike deem Canada's federal legislation ineffective and outdated (see, for example, Deckha, 2012; Ingram, 2013; Sorenson, 2010; Verbora, 2015). Sorenson (2010, p. 155), for example, outlines many ambiguities in federal law, including the unclear legal definition of an "animal," which he suggests results in no legal protection for wild animals or stray animals. There is a relative dearth of studies investigating the failure of Canada to modernize the anti-cruelty laws. Verbora (2015), however, examines Canada's political landscape and explores the legislative decision process determining that anti-cruelty laws perpetuate a form of speciesism. Additionally, it has been argued by Deckha (2012) that the United States has progressed further in

terms of reforming animal cruelty laws than Canada. Researchers, overall, have demonstrated that anti-cruelty legislation in Canada is ineffective, antiquated, and anthropocentric.

Federal Legislation

The following paragraph will discuss the animal cruelty laws as they are outlined in federal legislation. Sections 444 to 447 of the Criminal Code of Canada govern animal cruelty. As such, the Assaults Section 264.1(1)(c) makes it an offence to utter threats to kill, poison, or injure an animal or bird that is the property of any person. Meanwhile, Section 444 describes offences specific to cattle, including killing, maiming, wounding, or placing poison in any way that can be easily consumed by the animal. Section 445 extends the same protection to other animals, including dogs and birds. Section 445.1 describes unnecessary suffering, such as fighting or baiting of animals or birds. Section 446 deals with animals and transportation, while Section 447 makes it illegal to build, make, or maintain a place where a cockfight is held. In 2015, the Justice for Animals in Service Act, also known as “Quanto’s Law,” was enacted, effectively making the harming or killing of police, military, or service animals a punishable offence. These new protections could be seen as an example of what Kymlicka (2017) considers the potential of conceptualizing some animals as co-workers, allowing them social membership and certain additional legal protections, without assigning them personhood according to the law.

Fifteen attempts have been made between 1999 and 2012 to update federal animal cruelty protections, yet they remain largely unchanged (Verbora, 2015). From 1999-2005 the majority of the bills originated under the authority of the House of Commons, with

only two originating in the Senate. Remarkably, one bill received royal assent: Bill S-203. Bill S-203 was introduced by Liberal MP J. Bryden, with industry backing (Verbora, 2015). This bill addressed the issue of maximum penalties (Verbora, 2015) and allowed for hybrid offences. The most recent attempt to amend federal animal cruelty legislation was through a private member's bill—Bill C-246, the Modernizing Animal Protections Act. It was defeated at its second reading in 2016, which is not uncommon for private member's bills, even those introduced by members of the governing party. In my view, the reform efforts presented through public and private bills fail to address the interests of animals through a hegemonic political structure that favours human interests. Animal legal scholars refer to this as the “interest convergence.” Essentially, animals obtain legal protections only when their interests converge with human interests (Satz, 2009). Additionally, the prevalence of these ambiguities continues the practice of Othering and the oppression of animals that is centered around speciesism (Deckha, 2016).

Provincial Legislation

Now turning to provincial legislation, as noted, animal cruelty and welfare law at the provincial level is primarily found in the Ontario Society for the Prevention of Cruelty to Animals Act. The act establishes the OSPCA as the primary body responsible for animal protection (Section 2) and forms the mandate of the OSPCA (Section 3). Notably, the Act sets standards of care for those who own, have guardianship, or provide care for an animal, as well the exceptions to such standards, and I will outline these below. The Act prohibits a person from causing distress or permitting distress (Section 11.2.2), bans the training of any animal to fight with another animal, authorizing an animal to fight (Section 11.2.3), and owning equipment for animal fighting (Section 11.2.4), thus goes

further than federal provisions. Section 11.2.5 prohibits harming of a law enforcement animal even when the animal is not working. In addition, the Act mandates veterinarians to report abuse or neglect (Section 11.3).

In 2015, it became illegal for a person to own or breed an Orca, with the exception of an Orca owned prior to 2015 (Section 11.3). The Act also empowers inspectors to enter a premise where animals are kept for animal exhibition, entertainment, boarding, hire, or sale and allows inspection without a warrant to ensure that the standards of care described above are followed (Section 11.4). If the inspector is prevented from entering the premises or if there are reasonable grounds to believe that an inspector will be prevented a warrant is required (Section 11.5). In case an animal is in immediate distress, entry without a warrant is permitted for premises other than dwellings (Section 12.6).

Animal cruelty officers have the power to order the owner to have an animal examined and treated by veterinarians at their expense (Section 13). Additionally, officers can take possession of the animal if a) a veterinarian has examined the animal and advised so, b) the inspector has established reasonable grounds for distress *and* the owner or custodian is not present, or c) an order has not been complied with (Section 14). The OSPCA may keep custody of the animal if and when the owner or custodian has been charged with an offence under a provincial or federal law or a judge believes that returning the animal will cause harm (Section 14.1.1).

The Standards of Care Regulation is enabled by the Ontario Society for the Prevention of Cruelty to Animals Act and provides standards of care for animals in general (Section 2) as well as specific standards for dogs that live outdoors (Section 3), captive wildlife (Section 4 & 5), and captive primates (Section 6). These standards

require that animals be provided with adequate food, water, medical attention, and necessary care for their general welfare, such as providing adequate space to sleep, rest, move naturally, and protecting them from the elements and that animals are transported in a manner that ensures their physical safety and general welfare (Section 2). Specific standards apply for dogs kept outdoors—providing them with insulated and weatherproof enclosures and ensuring that the device used to tether dogs does not restrict their access to their food or water (Section 3). Regarding captive wildlife, the law states that they must be provided with daily activities that stimulate natural behavior and routine, and they must be kept in compatible social groups (Section 4). Meanwhile, captive primates must be stimulated daily with people and activities and must have interactive furnishings (Section 6).

It is, of course, important to acknowledge there are a few exceptions within the legislation. Animals in agriculture are exempt from “reasonable and generally accepted practices” (Section 11.1.2), meaning that industry standards become the norm rather than being governed by legal standards. Moreover, animals that are governed by the Fish and Wildlife Conservation Act are exempt from being caused distress (11.2.6). Given this situation, it is hardly surprising that western laws tend to give superior protections for those animals deemed companion animals.

Additional provincial laws that animal cruelty officers interact with include the Rabies Immunization Regulation which determines the legal requirements for the immunization of cats, dogs, and livestock against rabies. The Use of Animals Regulation delineates the care and handling of guard dogs by licensed private investigators and security guards. The OSPCA is not the policing body of the Animals in Research Act,

however, locations providing sheltering services apply the provisions under Section 20, which stipulates rules and regulations for the keeping of cats and dogs in a municipal pound. The Pounds Act outlines animal owners' liability and includes Ontario municipalities' handling of animals found running at large, in the absence of municipal by-laws. The Dog Owners' Liability Act describes civil liability, which means that the owner is liable for damages resulting from a bite or attack from one's dog. Additionally, the Act bans pit bull ownership as well as the breeding, transferring, or importing of a pit bull in Ontario as of August 29, 2005. The Act also places controls and restrictions on pit bulls owned before August 29, 2005. The Pit Bull Controls Regulation is enabled by the Dog Owners' Liability Act and provides detailed rules regarding the keeping of a pit bull (subject to listed exceptions). These rules require the animal to be muzzled, leashed, and sterilized.

The legislative and structure of the enforcement in Ontario certainly has limitations. For example, the OSPCA predominantly relies on a complaint-based system (Coulter & Fitzgerald, 2016). Moreover, many practices people might deem cruel are exempt within specific industries, such as fish and wildlife and agriculture. The practices are exempt, not the animals. Furthermore, before an officer can interfere, an animal must be in immediate distress, which is defined in the Ontario Society for the Prevention of Cruelty Act Section 12(8) to mean "distress that requires direct intervention to alleviate suffering or to preserve life." For an animal to be in distress, this is akin to suffering, or close to death. Otherwise, the law states that the officer must go through the owner, a process which can inevitably slow down the investigation and prolong an animals' suffering or bring about the imminent death. Given the animals' sentience, their experiences of cruelty

are, therefore, far more significant than property damage. A larger discussion of these issues beyond the scope of this study, but I note the key essentials to help illustrate the context.

v. Legal Terminology

Because I examine the relationship between enforcement and the legal terrain, including various criminal justice actors, I will outline the pertinent occupations. Notably, my language about the various professions conforms with that of the Ontario Court of Justice and the Superior Court of Justice. As such, I used the definitions provided in Section two of the Criminal Code of Canada to expound the various criminal justice system participants and their roles.

Animal cruelty officers have the same legal power as police officers with regards to the enforcement of the OSPCA Act and other laws in Ontario that govern the welfare of animals. As noted previously, this power, however, has recently been questioned, and the OSPCA will no longer conduct cruelty investigations as of June 28th, 2019. For the purposes of this study, animal cruelty officers may also be considered as humane law enforcement officers or peace officers. Sub-section (c) of the Criminal Code of Canada defines a peace officer as a police officer, police constable, bailiff, constable, or other person employed for the preservation and maintenance of public peace or for the service or execution of civil processes.

Meanwhile, Crown Attorneys are government prosecutors responsible for prosecuting summary convictions in the Ontario Court of Justice and indictable offences in the Superior Court of Justice (Ontario Ministry of the Attorney General, n.d.). The work of prosecution supports and extends front-line enforcement and it includes

providing legal advice to peace officers as they investigate, screen charges, and conduct trials (Ontario Ministry of the Attorney General, n.d.). In addition to judges who preside over the vast majority of criminal, youth, and family cases, a Justice of the Peace is appointed pursuant to the Justice of the Peace Act who has jurisdiction over provincial cases (Ontario Court of Justice, n.d.). Judges, however, may also hear the provincial cases, including their appeals, but it is normally Justices involved with animal cruelty cases. In addition to provincial cases, a Justice of the Peace's work in criminal law includes issuing search warrants, bail hearings, first appearance and remand court (Ontario Court of Justice, n.d.).

The term *order* carries specific connotations in Ontario's policing and enforcement structure. In the Ontario Society for the Prevention of Cruelty to Animals Act (Ontario's primary animal protection law), the term order allows for Ontario SPCA officers, if they have reasonable grounds to deem an animal is in distress and the owner or custodian is present, to order that steps be taken to relieve the animal of their distress. Moreover, they may order the animal to be examined and treated by a veterinarian. Orders are legally-binding. The use of an order allows for individual officers' discretionary power as they are permitted to specify a time frame which the required action must be performed. Moreover, they are allowed to extend the orders to gain compliance. What is important about the use of the term is that an order must be issued in writing and officers may return with or without a warrant, circumstances depending, to inspect the animal and the property.

Another noteworthy tool the officers use is charges. The term *charges* is a broad umbrella term that speaks to Federal or Provincial offenses. Within these two types of

charges are three main categories of offences: summary conviction offences, indictable offences, and hybrid offences. An indictable offence is the most serious offence and those charged will be arrested by police and must appear in court. Summary convictions are less serious and do not require the offender to appear in court; a lawyer may appear in court on that person's behalf, unless the judge asks the person charged to appear. Finally, a charge may proceed under a hybrid offence. A hybrid offence allows for the discretion of the prosecutor to choose between summary conviction offence or as an indictable offence, based on factors which include the seriousness of the crime (Department of Justice, 2015). Criminal offences are set out under the Criminal Code of Canada and enacted by Federal Parliament. These charges are more serious; thus, they carry more severe consequences. Provincial offences include a multitude of statutes enacted by the Provincial Legislature. A major difference between a federal and provincial charge is that the latter does not lead to a criminal record, while the former often requires demonstrable intent. In the same vain, charges are more serious than orders and summon the courts for resolution. On the other hand, charges and orders both allow for the discretionary powers of criminal justice actors.

vi. Positionality and Ethical Commitment

I have always been aware of *myself*, and in keeping with feminist methodology, I acknowledge my position in relation to this study. I have been committed to the notion of positionality throughout the research process beyond a written statement. It has been a part of my ethical commitment as the research has been conceptualized, conducted, assessed, and presented (D'Silva et al., 2016). I am an educated, middle-class, able-bodied, cisgender, heterosexual woman, and all of these influence the way I perceive the

world around me. My socioeconomic status may also have unconsciously impacted my research and my analysis.

My position and experiences have formed my interests and have guided me towards the intersecting issues of worker and animal wellbeing. Women comprise the majority of animal activists (Gaarder, 2011a). The historical roots of this gendered reality date back to the early antivivisection movement during the 19th century when connections between the oppression of animals and women were made by some movement leaders and other advocates (Gaarder, 2011b). Gaarder (2011b, p. 58) refers to this as “empathy based on shared inequities”. When I examine the oppression of animals and humans within a patriarchal and capitalist society, it is clear there are many interconnections.

Additionally, my specific interests in animals began in my upbringing. I was raised in a family that hunted animals for food and pleasure. However, I became a vegetarian in my youth, making the connection to the ‘othering’ of animals at a young age.

Furthermore, although I have volunteered for a humane society, I see myself within the animal shelter and rescue communities as an outsider conducting this research. Despite my experiences as a shelter volunteer, I recognize that I do not fully understand the experiences of those doing the front-line work of animal protection and my livelihood does not depend on employment in animal welfare.

Despite these understandings of my position, I acknowledge that my feelings and identity can influence this research process (Jorgenson, 2011). Thus, adopting a more self-reflexive method and approach allows me to unsettle the hierarchies (Nencel, 2014) of knowledge production. My research positionality has, then, been pushed to the foreground (Nencel, 2014). Consequently, due to my commitment to reflexivity, I worked

to develop reciprocity knowing that I was not doing research “on” the participants. As a result, I am committed to a research process that engages the participants and allows them to reveal their own realities. This stems from my ethical commitment to interspecies solidarity and my training in labour studies. I recognize that those I have interviewed have direct and valuable knowledge about animal protection, and their voices and experiences are represented as such.

Most notably, my political identity has changed in terms of class and education; I returned to school as a mature student, having worked for 10 years in fast food prior to my return. This is of particular importance as this fluidity has led me to my position today. During my time in the labour force, I experienced sexism and other forms of injustices, which made me eager to pursue labour studies. My undergraduate degree has changed my positionality as it has transformed my understanding. I went into labour studies with a business background, and my education offered me a different vantage point – a view that aims for and allows the understanding of the workers’ experiences. I left with newly formed economic, political, and social knowledge. This, undoubtedly, guided and influenced the way I conducted this research.

All told, I am deeply committed to alleviating the suffering of all species. This includes vulnerable animals that experience neglect and cruelty and the working conditions of officers who confront these harmful situations. In light of this ethical commitment, this study focuses on the workers and the animals in the context of animal cruelty work and law enforcement.

Chapter 2: Literature Review

This study draws on four primary bodies of scholarship: multispecies labour studies, gender analysis of law enforcement, research on animal cruelty investigation work and the human link. This chapter synthesizes the key sources and themes that emerge from the literature. The first section outlines the significance of gender, emotional labour, and emotion work for multispecies labour. The second section provides clear evidence for the use of a gendered labour process lens to research law enforcement by outlining emotional challenges, occupational stress, decision-making, and the role of police discretion. The third section discusses the limitations, challenges, and difficulties of animal cruelty investigations work identified in the existing literature. The final section examines the role of both the violence link and animal hoarding; two complex and intricate behaviours involving both human and non-human animals.

i. Multispecies Labour

Coulter (2016) refers to multispecies labour as work done with, by, or for animals. Most research on the intersections of animals and work has focused on people's work with or for animals in areas such as veterinary work, shelter work (excluding animal protection), and rescue work. For this study, the literature on gender and the complexities of care work with or for animals are most relevant. Indeed, those in the veterinary field are most likely to see animals in distress akin to those in animal protection, and scholarly analysis of this sector offers important insights for this study. While Sanders' (2010) ethnographic research in a veterinary clinic did not bring an explicitly gendered lens to bear, he examined the daily labour of a highly feminized occupation: veterinary technicians. Sanders (2010) argues that emotional labour and emotion work are essential

for the workers' navigating relations with both human and nonhuman animals because workers suppress their genuine feelings and perform "professionally". The identity of veterinary technicians is interconnected with their experiences of what he calls "emotional dirty work" (Sanders, 2010, p. 246), that is the emotional and undesirable task of navigating frequent euthanasia and animal suffering. The experiences of veterinary technicians are similar to those in animal protection who also confront complex human-animal relations alongside animals who have been abused or neglected, and who may be close to death. In some cases, animals may have to be euthanized as a result of their neglect or abuse due to the limitations of the law.

Animal shelter staff also share some key commonalities with veterinary and animal cruelty investigators. Taylor (2010) engaged in participant-observation research, conducted interviews with shelter staff, and foregrounds emotions in her analysis. She argues that shelter staff participate in complex emotional labour and emotion work daily. The workers are required to manage their own emotions towards the public, the abusers of animals, or the animals themselves. They also have to work to control the feelings of the public, including anger and frustration towards the staff. Taylor (2010) suggests that emotion work occurs not only in individual ways but also in collective ways as workers can gather together to discuss their feelings.

On the surface, this shows clear connections with animal cruelty investigation workers who must also grapple with public perceptions and relations, but OSPCA officers mostly work alone and may infrequently speak or interact with their co-workers; this is particularly true for those who do not even have office space (Coulter & Fitzgerald, 2019). This isolation makes this kind of collective emotional processing

challenging, if not impossible. The literature reveals that many people pursue animal protection careers of different sorts because of a “desire to make change and to improve lives” (Coulter, 2016, p. 114), which unquestionably increases the emotional complexities of the labour.

Gender is also a central dimension in people’s work with or for animals. Most people in low-paying or unpaid positions working for animals are women (Coulter & Fitzgerald, 2016; Gaarder, 2011b; Herzog, 2007; Markvits & Queen, 2009; Taylor, 2010). According to Gaarder (2011b, p. 58), women are more amenable to working with animals for a variety of reasons, including experiences of ongoing gender-role socialization and “empathy based on shared inequities”. Notably, the number of female veterinarians is growing. In the United States, for example, the number of female veterinarians increased significantly from 9.4% in 1972 to 71.5% in 2002 (Markvits & Queen, 2009, p. 327). Irvine and Vermilya (2010) examine the rapid feminization of the veterinary profession through an analysis of 22 interviews with women who were either practicing veterinary medicine or studying to become veterinarians. Irvine and Vermilya (2010) claim that sexism persists because the profession remains masculine. In other words, females practicing veterinary medicine are employed in a profession that reproduces organizationally entrenched gendered expectations (Irvine & Vermilya, 2010). This is a noteworthy dynamic when undertaking research on the male-dominated world of law enforcement. The significance of gender, emotional labour, and emotion work to labour with or for animals is evident and made more complicated in the case of cruelty investigators: while caring is one component of their labour, their primary occupational identity is as law enforcers.

ii. Gendered Law Enforcement

There is considerable research on gender and human-centred law enforcement, particularly on female officers' experiences of this male-dominated and masculinized occupation. The first pertinent pattern I have gleaned from the literature reinforces findings in multispecies labour studies: emotional challenges. Maran, Varetto, Zedda, and Ierazi (2015) conducted a survey of 617 police officers and found that human-centred police are exposed to both acute and chronic stressors at work, and female police officers displayed high levels of occupational stress. McCarty, Zhao, and Garland's (2007) study of a smaller police department found that while female officers encounter a more stressful organizational environment than men, they do not report higher levels of burnout or stress compared to their male counterparts. According to Shelly, Morabito, and Tobin-Gurley (2011, p. 354) female officers have to navigate a workplace that legitimizes hegemonic masculinity since "police are identified as masculine both organizationally and culturally". All of the researchers found that female officers experience "gender discrimination from male officers and supervisors" (McCarty et al., 2007, p. 673), and this compounds the occupational stresses they experience. Accordingly, McCarty et al. (2007) link gender discrimination to increased levels of stress and burnout. These findings were also reflected in Coulter and Fitzgerald's (2016, p. 12) study of Ontario's animal cruelty workers where "women face additional harassment, sexism, and belittlement".

How male and female officers negotiate stress is also a common topic in this body of literature, and McCarty et al. (2007, p. 677) suggest that "female officers may be affected differently by the constant exposure to tragedy and trouble on the job" due to gendered

socialization. Indeed, what constitutes stress differs across genders; hence, coping mechanisms employed by officers also differ (He, Zhao, & Archbold, 2002). He et al., (2002) analyzed previously used survey data from a sample composed of 86% male and 14% female respondents and found that constructive coping strategies were utilized by females more often than males. Coping strategies utilized by women include talking to friends and family, turning to faith, and making a plan of action (He et al., 2002, p. 688). In other words, women tend to utilize emotion-focused techniques, whereas men tend to use problem-focused strategies (Billings & Moos, 1981, as cited in He et al., 2002). The significance of gender, stress, and coping strategies is evident in my study of animal cruelty investigation work. Coulter and Fitzgerald (2016, p. 13) affirm that officers are exposed daily to abuse, neglect, and violence against animals and people and are bound by existing legislation and the legal receptivity of the Crown to pursue animal cruelty charges. The literature, therefore, reveals the importance of examining these legal challenges and the emotional and psychological experiences.

Several studies have documented police discretion and decision-making, received particularly in the area of use of force. Those involved in enforcement and prosecution require discretion and decision-making. Bronitt and Stenning (2011) draws on definitions of discretion to assert that officers are able to make choices whenever the operational limits on their power leave them able to do so. Conversely, Bronitt and Stenning (2011) draw on interpretive judgement, which means the officer interprets available evidence. Notably, interpretive judgement does not constitute discretion; rather, it becomes a part of its practice (Bronitt & Stenning, 2011). In line with Bronitt and Stenning (2011), Schulenberg (2012, p. 299) defines discretion as the use of judgment in a given situation

to invoke formal social control “when the circumstances warrant or legally allow for it”. Thus, this can include the decision to take no action at all. Decision-making then considers the choices of those officers “regarding when and how to intervene” (Roberg, Crank, & Kuykendall, 2000, pg. 276, as cited in Schulenberg, 2012). Both discretion and decision-making are expected of those involved in police work and similar work; these pervade other occupations within the criminal justice system. Choices and decisions are made at all stages of arrest, prosecution, trial, and sentencing. Moreover, discretionary decisions made by animal cruelty officers about pressing charges or placing orders become a pivotal moment in communicating the shift in the current political, economic, and social values and forces.

The research reveals that police officers’ decision-making can be impacted by a variety of factors, including stress. Reporting on two empirical studies of Belgian police officers, Verhage, Noppe, Feys, and Ledgen (2018) identified three predominant levels influencing police stress: individual, organizational, and situational. While individual cases of stress are often personal in character, organizational factors can include high workload, time pressure, lack of organizational support, and relationship with supervisors and colleagues (Verhage et al., 2018). Meanwhile, situational influences can include aggression towards the police and the use of social media and cell phones to confront and comment on the officers’ behaviour (Verhage et al., 2018). The findings of both the survey and the interviews indicate that stress and fear impact an officer’s decision-making process; officers are also anxious about the consequences of their actions (Verhage et al., 2018).

Minority populations experience police interactions fundamentally different than white civilians (Kramer & Remster, 2018). For example, in New York city, black residents are two point five times more likely to be stopped than white residents (Kramer & Remster, 2018). Scholars and activists focus their attention on the systemic and racialized violence of unarmed Black and Brown bodies by agents of the state (Logan & Oakley, 2017). Notably, police discretion and the use of force have been regarded as harmful, which can lead to the “over policing” of minority groups (see, for example, Coudert, Butin, & Métayer, 2015; Donohue & Levitt, 2001; Kramer & Remster, 2018; Logan & Oakley, 2017).

Rowe (2007) examined a British positive arrest policy that aimed to reduce the extent a police officer can exercise his or her discretion, specifically in domestic assault cases. The positive arrest policy intended to encourage officers to intercede and press charges in domestic assault cases. Rowe (2007) reveals that, overall, the officers’ reactions to the policy was mixed. Those who expressed hesitations did so from a practical viewpoint as there is lack of support from other actors within the criminal justice system (Rowe, 2007). Given the policy’s rationale, officers continued to express concern over the willingness of the criminal justice system to proceed (Rowe, 2007). The study reported the policy succeeded in limiting the officers’ discretion; accordingly, a positive arrest appeared to influence the victim so that he or she avoids calling the police. Thus, the policy was found to be counterproductive (Rowe, 2007).

The above findings highlight the fact that officers are influenced by a variety of factors when making decisions. Animal cruelty officers and human-centred police decision-making and discretion operate in a similar way. Conversely, OSPCA officers

confront situational and organizational stressors including lack of funding and occupational respect, being regarded as extremists or as not doing enough, and excessive workloads that all influence their decisions (Arluke, 2004; Coulter & Fitzgerald, 2016).

The anthropocentric law enforcement literature also reveals that law enforcement labour has clear gendered implications, especially for workers' mental health. Considering the masculine roots of policing and the gender dynamics at play, women in particular are at higher risk for stress. Additionally, although women are not a monolithic group, the research suggests that overall, they use different coping strategies than men. The literature reaffirms the importance of employing a gendered labour process lens for this research and of paying attention to the similarities and differences between women's and men's experiences of work. I did not treat any one gender as a homogeneous group and was cognizant that other factors, including age, ethno-racial identity, and sexuality, may intersect with gender.

iii. Animal Cruelty Investigation Work

Although animal cruelty investigation work and workers are understudied, Arluke (2004) and Coulter and Fitzgerald's scholarship (2016, 2019) offer valuable research and analysis which form the basis of this study. These sources have a number of overlapping findings, but the latter offers much more recent research, Ontario-specifics data, and gendered analysis.

Although animal protection has masculine roots in law enforcement, animal cruelty work is "systematically devalued materially and culturally" (Coulter & Fitzgerald, 2019, p. 289). Coulter and Fitzgerald (2019, p. 289) examine how animal cruelty work has become feminized and suggest that its devaluation extends from "the gendered and

multispecies entanglements of the work”. Coulter and Fitzgerald (2019, p. 289) further indicate that the gendered composition of the workforce, in combination with the fact that the victims are animals leads to “the compounding feminization of cruelty investigation labour”.

The devaluation of animal cruelty work also stems from a lack of respect from some human-centred law enforcement actors. Arluke’s (2004) ethnography of a regionally-based cruelty investigations workforce in the United States highlights that workers struggle with the lack of occupational respect from human-centred law enforcement actors, including police, judges, and lawyers who view investigators as “dog catchers” (p. ix), a sentiment intended to be spiteful (p. 12). Arluke (2004) also found that workers felt the general public’s hostility towards them. Inspectors interviewed by Coulter and Fitzgerald (2016) also complained about public perception and hostility, including misperceptions that they were merely “dog catchers.” In fact, workers encounter physical violence and “[v]erbal abuse as a regular part of their job while in uniform” (Coulter & Fitzgerald, 2016). Nonetheless, Arluke (2004) and Coulter and Fitzgerald (2016, 2019) make clear that some people do appreciate the workers and their work.

In addition to the dangerous conditions animal cruelty officers experience daily, Coulter and Fitzgerald (2016, p. 11) emphasize that the work is “physically, psychologically, and emotionally trying”. According to Coulter and Fitzgerald (2016, p. 11-12), these challenges present themselves in the form of compassion fatigue, depression, burnout, and other mental health challenges, and women face additional challenges of “harassment, sexism, and belittlement”. Moreover, Coulter and Fitzgerald (2019, p. 293) emphasize that female officers reported receiving rape threats and “threats

of sexual and other kinds of violence against their families”. In their study regarding the compounding feminization of animal cruelty investigation, Coulter and Fitzgerald (2019, p. 299) point out that “animal abuse is most commonly perpetrated by men”, and this can create an amalgamation of risks for female officers (p. 295). Workers must also see and cope daily with violence, poverty, neglect, and illness as part of the job, and these findings are highlighted in violence against animals, women, and children (Coulter & Fitzgerald, 2016, p. 11). Although there are numerous ways in which the work is challenging and difficult, the literature affirms that officers are committed (Arluke, 2004; Coulter & Fitzgerald, 2016, 2019) and “have a desire to help animals” (Coulter & Fitzgerald, 2016). This desire to help can be challenged when workers confront a legal system that may not share the same desire.

Arluke (2004, p. 132) offers a glimpse of officers’ experiences of courtroom proceedings and disclosed that many felt “worn down” by their experiences. Officers are often left feeling frustrated and disappointed by the court system (Arluke, 2004, p. 133). According to Arluke (2004), courtroom officials belittle animal cruelty and its significance with remarks and gestures. This courtroom behaviour not only undermines the officers’ work and the position of law enforcement but also diminishes the value of the animals’ lives. If cruelty was to be taken seriously in court, Arluke (2004) argues that it needed to be extreme. Based on the experiences of animal cruelty officers, the abuse necessitates a beating, a stabbing, or death for the case to even be considered (Arluke, 2004, p. 135). Officers come to court expecting to lose the case ultimately (Arluke, 2004). Moreover, Arluke (2004) found that officers pursued a strategy of educating court officials as a way to try and change the receptiveness towards animal cruelty cases. This

approach built on the overall professionalization of the occupation of humane law enforcement, to shift the reputation from extremists to professionals (Arluke, 2004). Additionally, officers needed to persuade courtroom officials that they had utilized all other methods to resolve the case. Officers, as a result of these challenges, focus on actions that they consider the best ways to prevent abuse (Arluke, 2004).

Arluke (2004) proposes the term humane realism to capture how cruelty officers perform their job amidst these challenges and ambiguity. Arluke (2004, p.158) considers the notion of humane realism as a way they control the cynicism of cruelty investigation work. Officers learn to “become humanely realistic” as they transition from idealistic to cynic to realistic (Arluke, 2004). For example, Arluke’s (2004) study discusses the challenges officers face when confronting animal hoarding. In fact, an officer in Arluke’s (2004) study explains:

When I go into a house and there’s thirty cats, they’re going to get euthanized. But I would rather see them euthanized than suffering and then going hungry. And Officer Mat and I differ greatly on that. He would let them live in minimal circumstances. To me, I’d be inhumane if I left those cats in there. I’d rather see them safe up in heaven playing with my dog (p. 31).

Cruelty officers must adapt to the despondency and ambiguity they encounter daily. Arluke (2004, p. 158) denotes, however, that “one kind of ambiguity is organizational”, thus, the department allows for alternative styles of policing as part of embracing a humanely realistic approach. Consequently, this results in different interpretations of the same law, which are then made more complicated by court officials and what they consider to be cruelty (Arluke, 2004, p. 150), as illustrated in the quotation above about

hoarding. Ultimately humane realism assists officers in navigating ambiguity (Arluke, 2004), but it is not a platform or springboard for change.

iv. The Link and Human Harm

There has been substantial research on the role of the violence link. Social learning theory asserts that our behaviour is learned from important figures in our lives and then subsequently repeated through imitation or modelling (Fitzgerald et al., 2016). As such, the violence link is manifested through behaviours, such as child abuse or spousal abuse and, in some cases, children subsequently perpetuate the violence (DeGue, 2011).

Moreover, some research has found that cruelty towards animals results in more violent and aggressive criminals (i.e. rapists and/or murderers). This is the violence graduation theory (Fitzgerald et al., 2016). Several studies have demonstrated that those who begin abusing animals then “graduate” to violence against humans (see for example, Hensley, Tallichet, & Dutkiewicz, 2010; Ressler, Burgess, Hartman, Douglas, & McCormack, 1986; Wright & Hensley, 2003). To date, there has been little agreement on the important questions of the graduation theory. Most of the studies in support of the graduation theory have suffered from methodological flaws as denoted by Arluke, Levin, Luke, and Ascione (1999). Other scholars also questioned this predictive pattern. Patterson-Kane and Piper (2009) found that rates of animal abuse among violent offenders and non-violent offenders were virtually the same. There has been little reliable evidence on the violence graduation hypothesis conveying that it is unreasonable to assume that all of those who engage in extreme violence against animals will progress into serial killers or other more “aggressive” criminals. Whilst evidence is increasing that those who inflict pain, particularly in an up-close and intimate way, on dogs and cats -

victims that have been heavily anthropomorphized in Western culture – may be indicting their likelihood to graduate to human violence (Levin & Arluke, 2009). The numbers vary, but the link has been well established and recognized by a number of law enforcement agencies, particularly in the United States.

Another well-known theory is the generalization of deviance hypothesis, which states that animal abuse is not necessarily linked to violence against humans; rather, it is part of a spectrum of antisocial and criminal behaviour (Fitzgerald et al., 2016; Gullone, 2012). Overall, these studies, while not an exhaustive examination of the violence link, illustrate clear connections between animal violence and violence against humans, a fact which further drives my scholarship and its social justice implications.

In the case of animal hoarding, it has been considered a significant social and mental health issue by animal welfare professionals, and while the area of hoarding has received significant scholarly attention, the impacts and/or challenges it presents for those involved in humane law enforcement is relatively understudied. Hoarding is normally linked to mental disorders, and, when animals are involved, can lead to harm, risks, and behaviour that contravenes the law. Lockwood (2018) offered insight into the challenges that those in animal welfare and law enforcement professions encounter when confronting animal hoarding. Lockwood (2018) notes that animal hoarders are less likely to participate in therapy and are often ultimately resistant to change. Moreover, it is generally recognized that animal hoarding has almost a recidivism rate of 100% (Patronek, Loar, & Nathanson, 2006, as cited in Lockwood, 2018). Hoarding cases are typically brought to attention through complaints of “unsanitary conditions” (Arluke & Patronek, 2016, p. 207). Both Lockwood (2018) and Arluke and Patronek (2016)

recognize the need to establish joint agreements between agencies or task forces to form a comprehensive ability to bring together solutions. Lockwood (2018) affirms that most communities have not discovered how to accomplish this. Animal hoarding is a complex and difficult issue to resolve (Arluke & Patronek, 2016; Lockwood, 2018). The literature reveals the challenges officers might encounter as they navigate animal hoarding cases and community-based approaches are explored to respond to the challenges which address the intersecting issues of human and non-human animal with animal hoarding. There is a need for more research on the complexities of hoarding.

v. Summary

Despite all the challenges animal cruelty officers face, Coulter and Fitzgerald (2016, p. 12) report that officers are, in fact, making a difference in the lives of both animals and people. Officers often do the best they can despite the limitations, challenges, and difficulties of their job (Coulter & Fitzgerald, 2016). Moreover, Coulter and Fitzgerald (2016, p. 15) argue that there is a demonstrable need to improve working conditions to better protect officers and improve their ability to do their job. Arluke (2004) and Coulter and Fitzgerald's (2016, 2019) research clearly underscores the need to improve the working conditions of the cruelty investigation workforce. This is where my study on the intersections of animal cruelty investigation work and the law fits in. This small body of literature reveals that animal cruelty officers are constrained by legislation and structural challenges, and that these factors are compounded by the human-animal violence link, and the gendered dynamics that increase occupational stress. However, neither Arluke's (2004) nor Coulter and Fitzgerald's (2016) studies focus on how humane law

enforcement officers understand and navigate the legal requirements of their work or the impact of the legislation on the workers.

It is evident from the literature that animal cruelty workers overall encounter various challenges and limitations. Notably, the literature also revealed clear gaps in our understanding and that cruelty investigations work and workers are under-studied. As a result, more research is needed to understand the experiences of those involved in animal protection and to examine how their decisions and assessments impact their own lives and the lives of the vulnerable animals and their guardians. With few scholars exploring the labour of animal cruelty officers, there is little known about the labour of enforcement, particularly the intersections of their daily labour and the law. It is here that I hope to contribute a new perspective on animal cruelty investigation work and highlight the labour-law intersection in particular.

Chapter 3: Theoretical Framework

This chapter presents the theoretical framework that helps refine my research question, the research design, and the analysis of the data. The chapter clarifies the decision to use an interdisciplinary theoretical framework, drawing from a gendered labour process theory, and the concept of interspecies solidarity to encourage a nuanced, multi-dimensional analysis.

i. Interspecies Solidarity

The recognition that we live in multispecies societies serves as motivation for this research. Human and nonhuman animals' lives are interconnected; thus, this study utilizes the lens of interspecies solidarity. According to Coulter (2016, p. 3), "interspecies-solidarity is a goal, a process, an ethical commitment, and a political project that can help foster better conditions for animals, improve people's work lives, and interweave human and animal well-being". Central to workers' movements, solidarity is manifested in the unification towards a common cause or goal. Coulter (2016) argues, however, that solidarity does not need to be merely applied to those within a working context; it can encompass various kinds of relationships and alliances that span industries, geographical regions, cultures, social justice movements, and species.

Solidarity is underscored by empathy; it is "support despite differences" and is distinguished from sympathy as it seeks to understand and legitimize the experiences of others (Coulter, 2016, p. 150). Although animals share many similarities with humans as evident in their sentience, Coulter (2016) argues that it is neither the similarities or the differences that promote solidaristic actions; rather, it is ethics. Plumwood (2002) also considers the continuity and the differences between humans and nature. Rejecting the

notion that nature must adapt to the hegemonic conception of humans, Plumwood (2002, p. 202) contends that while nature and humans are interconnected, they are, in fact, distinct entities with their own interests and purposes.

Solidarity then, must be achieved by acknowledging our differences (Plumwood, 2002, p. 202) and by rejecting oppressive projects that may obscure the positioning of the self *with* the other, or *as* the other. Hence, solidarity is a process. Moreover, Kim's (2015, p. 19) multi-optic vision encourages one to see and recognize the oppression of another group by "seeing *from within* various perspectives". A multi-optic vision, thus, encourages an *ethics of mutual avowal* or "a connection with other struggles" (Kim, 2015, p. 20). Consequently, Kim's (2015) approach invites us to reimagine the "we" within a capitalist society.

Coulter (2016) argues that the notion of interspecies solidarity "is not a monolithic blueprint to be singularly imposed on all working lives or political projects." Moreover, Coulter (2016, p.153) posits that "interspecies solidarity is both a path and the outline of a destination that encourages new ways of thinking and acting, individually and collectively, that are informed by empathy, support, dignity, and respect." Solidarity, however, needs to be accompanied with a political perspective; it must go beyond empathy (Coulter, 2016, p. 151). Solidarity, therefore, is both a feeling and an action.

Thus, to reflect on social justice for the workers, vulnerable animals, and people that comprise this study, interspecies solidarity – the conceptual framework of the current research – offers ways to create change and affect social outcomes for all species. The notion of interspecies solidarity has, therefore, challenged me to recognize interconnections and differences and to prioritize an analysis that interweaves human and

animal well-being at all points in this research. In many ways, this emphasis formed the foundation of this research and its conceptual framework.

ii. Gendered Labour Process Theory

Given that this study examines the workplace and the processes therein, I employed a gendered labour process theory as it is helpful for discerning the daily labour and organizational and structural processes, as well as their gendered implications. According to Coulter and Fitzgerald (2019) animal cruelty work has several gendered implications and the workforce itself is female dominated. Thus, a decision was made to approach the study not only through labour process theory but with a gendered labour lens.

Labour process theory allows us to analyze daily labour process (Braverman, 1974), highlighting relations of control, power, alienation, and exploitation. However, a central problem in Braverman's (1974) labour process theory is an individualizing or homogenizing the plant and the owner, thereby failing to address the agency, subjectivity, and resistance (O'Doherty & Willmott, 2001) inherent to people. Moreover, it does not capture the complexities in other, non-industrial types of workplaces, including those in the non-profit sector. Labour scholars have critically examined this structure-agency dualism, focusing on the "the missing subject".

According to Giddens (1979) the expression of agency is an intentional act by an individual to think, question, and act. Archer (1996) focuses her interpretation of human agency on conscious reflexive deliberation arguing that individuals are guided by their reflexive interpretations of social situations and structures. Here I would interject my own view, to denote that I hold the understanding that various factors such as class, race,

gender, economics, and work and labour market conditions will also act as influencers on a person's individual agency (Eteläpelto, Vähäsantanen, Hökkä, & Paloniemi, 2013).

O'Doherty and Willmott (2001) argue that employees are not passive victims to the structural powers as they have the ability to express their power through resistance and agency. In this regard, scholars, have discussed the ways in which social, economic, and political structures constrain, yet also shape, restrict, and limit an individuals agency (Eteläpelto et al., 2013). Notably, workers "learn" through the social experiences they encounter at work, yet they are also constructed by various pre-mediated social and cultural practices that shape how they interpret their experiences (Billet, 2008). Whilst these factors may guide the conduct of an individual, moving beyond a workers' social and pre-mediate experiences (Billet, 2008) allows for an analysis into a workers agency and the various structures that may constrain them. Most social science researchers recognize that social structures and human agency cannot be distanced from each other as agency can be limited and constrained by structures and individuals or collective agency can influence social structure (Eteläpelto et al., 2013).

Crucially, feminist scholars have identify the need to look beyond a gender-neutral lens when analysing organizational structures and such dynamics (Acker, 1990; Kanter, 1987). Acker (2006) examined the racial and gender relations within organizations to determine how inequities persist in the organizational processes. In line with Crenshaw's (1995) intersectional analysis, Acker (2006, p. 442) interweaves race and gender into a capitalist examination and contends that the social realities of class are complicated by various gendered and racial dimensions. Inequality regimes, as defined by Acker (2006), encompass interlocking processes, practices, and actions that uphold inequalities in all

workplaces. Acker (2006) asserts that the gendered processes within organizations intersect and are mutually reinforced by race and class.

Given the importance of a gendered analysis to a multispecies workplace, I need to go beyond dualistic thinking to examine the gendered implications in the daily labour process of cruelty investigation work. According to Acker (1990), work, organizations, and jobs are gendered and so are the processes within them. The theory of gendered organizations posits that we need to view organizations not as gender-neutral but as spaces in which the processes of gender (and sexuality, race, and class) are invented and reproduced by organizational and structural processes (Acker, 1990). The hegemonically defined masculinities and femininities within society (Connell, 1987) are then ideologically based on the gendering process of organizations (Britton, 2000). Connell (1987) further argues that gendered divisions are not an ideological afterthought to the mode of production; they are a feature of a capitalist system. Moreover, organizations can be gendered by having processes that reinforce masculine or feminine distinctions or by being numerically male or female dominated (Britton, 2000).

Police and law enforcement work, in the context of this study, is both socially and organizationally constructed as masculine, and these gender stereotypes results in a hierarchal domination in police forces; women are falling behind their male counter parts for supervisory roles, for example (Sims, Scarborough, & Ahmad, 2003). Furthermore, inequality processes can be subtle and can occur in many ways, such as with white men not listening to their female or racialized peers or when women are sexualized in the workplace (Acker, 2006). This theoretical assemblage prompts me to recognize gendered

structures and differences, rather than solely viewing a worker's experience as gender neutral.

Recent gendered approaches to the labour process theory often stem from Hochschild's (1983) analysis and her emphasis on emotions and how workers manage them. Looking beyond the physical labour in workplaces, Hochschild (1983) contextualized organizational emotion, including emotional labour and emotion work. The former refers to the outward performance of emotions, while the latter pertains more specifically to the work done internally to regulate or control emotions so that one can then perform emotional labour (Hochschild, 1983). However, at its core, emotional labour has two meanings – the first shows how one performs the emotions by inducing or suppressing feeling, while the second shows how one pretends to feel (Hochschild, 1983). Hochschild (1983) refers to the act of moving beyond the notion of “pretending” as deep acting. These insights are valuable in the context of workplaces; hence, its application in a multispecies workplace where emotions and physical labour are entangled is vital to a labour process analysis. Its relevance is clearly evident in the literature summarized.

Despite criticism from some scholars (Bolton, 2009; Wouters, 1989), Hochschild's concepts offer valuable insight into organizational emotions, this is particularly helpful in my analysis of a multispecies workplace. Hochschild's (1987) theory takes a dichotomous stance and makes a distinction between the private and public self, where the former is considered as the “real” self. Nonetheless, Hochschild (1983) recognizes that within the realm of public life, there is a navigation of emotion labour. By enlisting a gendered labour process theory, this study examines how cruelty officers' agency, subjectivity, and resistance are present in their daily labour process and how these affect

their emotions (and vice versa). Overall, I endeavour to understand the workers' experience of the legal terrain through a gendered labour process theory that ensures an analysis that places the workers' experience at the forefront of this research.

In sum, this study addressed the concerns outlined by the conceptual framework of interspecies solidarity and a gendered labour process theory which both guided my thinking for this research. This study places human-animal relationships at the forefront to conceptualize ways that workers resist the social structures that challenge and limit their agency to create a better future for all species.

Chapter 4: Methodological Approach

This chapter outlines the methodological approach and the research strategies utilized in this paper. The chapter begins with an outline of the research design, followed by an explanation of the research strategies and the difficulties I encountered during research. As previously mentioned in Chapter 1, this study aims to answer the research question: How do cruelty investigation officers at OSPCA branches and affiliated humane societies in Ontario understand and navigate the legal requirements and limitations of their work? To effectively do so, I employed targeted semi-structured interviews as the primary data collection technique.

i. Research Design

I used a case study approach to facilitate in depth understanding of the cruelty investigation workers in Ontario. Case studies “involve systematically gathering enough information about a particular person, social setting, event, or group to permit the researcher to effectively understand how the subject operates or functions” (Berg, 2004, p. 251). As this research aims to investigate the experiences of cruelty investigation officers in a confined geographic region, a case study is an appropriate methodological framing. I then employed semi-structured interviews to facilitate a discussion and allow flexibility to raise issues and shape the themes (Yeo et al., 2014) with the participants.

The research data is based on interviews of eight participants—six current and two former officers—two of whom are females and six are males. They work or worked in both affiliate humane societies and provincial branches. All the participants were assured confidentiality. The participants’ work experiences range from eight to 27 years. The interviews lasted between 45 minutes to two hours to ensure depth of exchange, and were

conducted both in person and over Skype, with one being conducted over telephone due to technical difficulties on the day of the interview. Recruitment efforts involved emailing the directors of humane societies with a request that they disseminate a recruitment letter to their staff. Convenience sampling was employed to generate participants based solely on those who were available and responsive (Berg, 2004). The interviews were conducted over the summer of 2018.

ii. Reflexive Research

Influenced by a feminist methodological approach that aims to deconstruct the power relations of knowledge production (Doucet & Mauthner, 2007), I am compelled to reflect on the connection between my own identity and my research participants. My understanding of reflexivity in research is founded on “interpretation and reflection” (D’Silva et al., 2016, p. 96). The need to be reflexive is derived from the notion that interviews are defined and controlled by the interviewer (Kvale & Brinkman, 2009). Thus, I focused on declaring my position to the respondents at the start of the interview; McCorkel and Myers (2003, p. 204) refers to this method as dismantling the identity of the researcher.

Since I enter the conversation as an outsider, and as a researcher with a commitment to social change, I clarified for all participants my background in worker issues and my volunteer work in animal shelters before commencing the interview. My interest in this project was, thus, made explicit. The primary aim of this approach is to preface my relationship as reciprocal to establish a common goal at the forefront this research. Moreover, this strategy builds rapport during the beginning of the interview (Yeo et al., 2014, p. 187). Nonetheless, I do not claim to be wholly objective as hidden motives may

figure throughout the process (Doucet, 2008), but I am committed to a reflexive process to ensure the ongoing consideration of my assumptions and values in the course of this research.

iii. Research Strategies

The issue of memory, remembering, or recollection is a concern when utilizing the method of qualitative interviewing, specifically about how memories are used in the construction of one's self and identity, how social and cultural influences impact memories (Keightley, 2010), and how negative experiences and words can create false memories (Brainerd, Stein, Silveira, Rohenkohl, & Reyna, 2008). I equipped myself for this challenge by approaching the interview as though it was “not the end of the research process” (Nunkoosing, 2005, p. 701). In addition, I applied the theory of triangulation to verify inconsistencies (Keightley, 2010). Accordingly, I used case law and news outlets as alternative sources of data to confirm information from participants. However, this strategy was only employed to verify data and not the experiences of the officers. Moreover, I also used other approaches in my research, such as creating a warm and inviting space for the participants to feel safe to speak openly, stating my positionality as the interviewer (Keightley, 2010), and watching for clear signs of emotional responses to negative words (Brainerd et al., 2008).

Disclosure was a challenge during data collection. Given that participants are law enforcement officers, some are unable to share specific details of their job or particulars of cases. I addressed this challenge by establishing rapport (Miller, 2017), making participants feel comfortable to share information “through the endurance of silences or supportive comments” (Miller, 2017, p. 83), and effectively encouraging disclosure by

allowing participants to express difficult or challenging information (Miller, 2017).

Additionally, I encouraged participants to discuss hypothetical situations (Borrill, Lorenz, & Abbasnejad, 2012).

iv. Research Difficulties

I had originally planned to undertake a case study of cruelty investigation workers in the Niagara region. I initially intended to recruit five to six officers employed at one of the Niagara Region's humane societies. However, I only received two responses to the recruitment email and felt this was not a sufficient data set. Therefore, I decided to expand the scope to a provincial study. Although I considered this as a research difficulty at that time, I quickly learned that this could become a research strength: Having granted confidentiality to the participants, this larger recruitment pool further conceals their identity.

During the research and interview process, I became emotionally exhausted. My academic curiosity motivated me to research on animal cruelty work. Despite my involvement in shelter work for years, I did not expect that the stories of abuse that I would read and hear would fill my unconscious mind and keep me awake at night. The restlessness nestled into a feeling of helplessness, which then manifested into difficulties concentrating. Once I identified this as a common concern among qualitative researchers (Candace, 1995), particularly those undertaking research involving violence and abuse, I was able to adopt coping mechanisms and continue with this research.

Finally, studying law enforcement officers posed an unforeseen challenge: Since law enforcement officers, as part of their labour process, conduct investigations, some of them felt that they are in the process of being investigated during the interviews. Hence,

in one of the interviews, an officer appeared to speak more comfortably off record. To address this challenge, I asked the demographic questions at the end of the interview rather than the beginning, and this approach proved effective.

v. Data Collection

The use of targeted semi-structured interviews aims to delve into the experience of the legal terrain from the officers' point of view. I remained open to the research process as a form of conversation (Kvale & Brinkman, 2009). The interview is a social process in which knowledge is produced; it is a social practice with a mode of "power asymmetry" that may have social influences and social consequences in which the interviewer must be conscious of (Kvale & Brinkman, 2009). The interview as a method of interpretive inquiry must, therefore, address a broad range of ethical, social, and political concerns.

My research addressed these concerns by using the seven stages of research interviewing: (1) thematizing the project, (2) designing, (3) interviewing, (4) transcribing, (5) analyzing, (6) verifying, and (7) reporting (Dunton & Sargent, 2009, p. 109). In consideration of the participants, I remained committed to the following ethical principles: autonomy, beneficence, and justice (Orb, Eisenhauer, & Wynaden, 2000). First, the participants autonomy, as Orb et al., (2000) highlight, was recognized through the informed consent. Second, beneficence ensured that I not only did good for those covered in this study, but also did no harm to them (Orb et al., 2000). This is reflected by protecting the identity of the officers by ensuring confidentiality. The study also allowed the officers to self-select which experiences to share. Finally, the principle of justice stresses the need to avoid the exploitation and abuse of the participants (Orb et al., 2000).

Throughout the research process, I incorporated ongoing ethical and reflexive considerations into each of the aforementioned stages through the use of a journal. Through this journal, I can keep track of the vicissitudes and hidden motives of the overall process. What started out as a weekly process, however, later became a monthly writing session. Notably, during the data collection stage, I chronicled my thoughts and impressions on a recorder after every interview and later transferred these in the journal for reflection.

Guided by the insights of Warren and Karner (2015, p. 134) on building rapport, I made sure to start each interview with the easiest and least disturbing questions; those that the participants would likely consider difficult were left toward the end. Question three-six intended to provoke participants to reflect on their experiences within the legal terrain. Questions seven-11 were designed to find out how the participants navigate their legal requirements. Furthermore, I implemented the strategy that Ritchie et al., (2014) suggested: Signaling in advance before the end of the interview. I, therefore, informed the participants that the interview would come to an end by using phrases, such as “the final topic I wanted to ask you about” or “my last question is”. The final question, “is there anything else you would like to add?” is intentional; it allows the participants to add or clarify any information, which they consider relevant but did not have an opportunity to discuss (see Appendix B for the initial questions). Accordingly, I followed a protocol that included opening and closing remarks, thanking each participant for his or her time.

According to Berg (2004, p. 38), the main concerns for data storage, retrieval, and analysis are high-quality accessibility to the data, documentation of the analysis, and retention and protection of the data once the study has ended. All the data, therefore, were

collected with a personal recording device: my cell phone. During the interview, I also took notes to ask follow-up questions. Immediately after the interview, I spoke into my recording device to record my thoughts concerning the interview.

vi. Data Analysis

During data analysis, an analytic strategy (Yin, 2015) was employed as the logic of thinking. Yin (2015, p. 135) asserts that it is helpful to begin by “play[ing]” with the data and “searching for patterns, insights, or concepts that seem promising”. Insights began to emerge when I manipulated the data by juxtaposing multiple sets of data, creating a matrix of categories, generating data displays, charting the frequency of events, and organizing information in chronological events (Yin, 2015, p. 135). Following Yin’s (2015) advice, writing notes during the transcription phase was used as another data analysis strategy. Additionally, the transcriptions were done using a simple transcription method. Questions of how much to capture from the sound files resolved with the decision to remove the unnecessary ums, and likes from the transcription. As a way to protect the privacy of participants, data and transcripts were anonymized.

Different methods have been used to code the data. I combined both cross-sectional and non-cross-sectional strategies for the coding of the data (Spencer, Ritchie, Ormston, O’Connor, & Barnard, 2014). Throughout the data analysis and the processing of insights emerging from the interviews, I examined the data through the theoretical lens I have previously proposed, and this generated some useful ideas.

Chapter 5: Key Findings and Discussion

i. Introduction

By employing the data analysis techniques outlined in chapter four, I have examined, interpreted, and organized the animal cruelty officers' experiences to distill the key findings. Two major themes have emerged. The first focuses on the constraints, particularly the mixed levels of support from the Crown Attorneys and veterinarians. This lack or uneven support has affected how officers make decisions and carry out their work in noteworthy ways. At the same time, the themes of agency and the prospects for change are salient. From the data, it is clear that officers exercise their agency to address and overcome legal constraints and limitations and better protect animals. One important way officers do so is by educating and building relationships, with members of the public and with human-centred law enforcers. The general picture emerging from the analysis is that officers find ways to persevere in their mission to help animals and change lives regardless of the structural constraints in their organization and within the criminal justice system. Both the structural constraints and the exercise of agency are central to the officers' daily labour. This chapter outlines both, and how they are related.

The following is a brief description of the motivations of the workers about their work, the cases, and their gender to contextualize the officers' participation in the study. Officers spoke frankly about their passion for policing as a motivator to pursue a career in the animal cruelty field. Among the officers interviewed, one officer spoke about using humane law enforcement as a stepping stone to human-centred enforcement; however, this officer also reported overall satisfaction with their current animal-centric work. All but three reported on their love of animals as an added inspiration to law enforcement

work, while two spoke of their desire to impact change on the intersecting issues of animals and people. In fact, one officer indicated that a mere job evolved into something more because of the intersecting human and animal issues. This officer stated:

I happened to see a number of different things that kind of opened my eyes to, not only the concern and plight of animals here in Ontario but I made a connection to the human side of it - having a better understanding of what the socio-economic issues of people who owned animals. Mental health issues, you know how they adapted to their own illness and their issues and used animals in their daily lives and that type of things and how each were affected by each other. It became a really, really unique dynamic. I kind of got drawn in, in a really short period of time.

In this respect, not all cruelty cases are clear and distinct. Coulter (2019) points out, when a cruelty investigation denotes a problem, it exists on a spectrum. Cases, then, can range on opposite ends, from heinous crimes meriting charges to behaviour that is not ideal warranting resources or support. Additionally, the treatment of animals that violate the law requires legally-binding or corrective action will fall somewhere in the middle (Coulter, 2019, p.11). From this perspective, the participants who responded to this study had a shared assumption about the cases they responded to. For the most part the officers did not report seeing willful abuse often; rather, the majority of the cases described were some form of neglect, often medical neglect, and cases of hoarding. This is significant, and I will revisit it below.

Additionally, when analyzing the data through a gendered lens, there was no explicit or overt evidence that gender had an influence on the officers' experience of the legal

terrain. This is a rather unexpected outcome and certainly should not imply there are no gendered experiences. One female officer reported on gendered dynamics but wanted to speak off-the-record about these matters. Both of these facts are telling in some ways and I revisit them in my conclusion.

ii. Key Finding # 1

Identifying the constraints

I will now outline and unpack the most significant constraints that the participating officers identified within the legal terrain. The results fall roughly into five sub-categories: 1) access to veterinarians; 2) uneven support from Crown Attorneys; 3) ambiguous laws; 4) intersecting issues between people and animals; and 5) occupational isolation.

Access to Veterinarians

In addition to the crucial interactions with legal actors, officers collaborate with veterinarians during the investigative stage. These relationships include accompanying the officers to the scene to conduct an examination and assessment of the live or deceased animal to identify cruelty, expert medical opinions and reports, and their appearance and testimony in courts. Animal cruelty officers are not experts in animal health, they are law enforcement officers. For this reason, they must rely on the experts in the field for support to determine the health and well-being of animals. The overwhelming majority of those interviewed suggested:

We rely on their [veterinarians] professional opinion, to articulate that the animal was in distress. I can see what I can see, but there are certain elements where you would need a professional opinion, and I don't carry that professional opinion

that would verify it. So, I think that the link between my observations combined with the vet's opinion whether medically or just their own observations.

As explained above, having a veterinarian involved with cruelty cases moves beyond examining animals in a clinic. An officer with more than 20 years illustrates this fact:

And again, when it comes to removal of animals, and you also may take a veterinarian with you, and the criteria for removing those animals is very specific. Again, it's non-compliance on the veterinary certificate and or the owners can't be found promptly, and the animals need to be addressed.

Veterinarians are a vital piece to the support of enforcement and in specific cases can be crucial to the scene and building charges. However, access to this expert resource is a challenge officers must confront. Two officers did not comment on this topic, while three stated definitively that they struggle to find the support of veterinarians.

Veterinarians with specific forensics expertise are even less common in Ontario (Coulter, 2019). On the other hand, two officers said they have no issue finding supportive veterinarians in their communities. One officer synthesizes the issues as follows:

I have a conversation with them [veterinarians] every time, you know, "If this goes sideways, are you willing to go to court or go to trial, are you willing to get involved," and I would say 90% of the time, it's a yes. And I, working in this area long enough, I know veterinarians I can go to that are willing to step in and help out, and I know the veterinarians that are very reluctant to help out. They would just want their practice. They have their clients, their regular clients, that's what they want. They don't want to get involved in anything else.

The data suggest that the terrain is mixed when it comes to veterinarians and their willingness – or ability – to contribute to animal cruelty investigations. In certain regions, strong relationships have been formed. In others, officers are more limited. This is particularly true for certain kinds of cases and places. An officer with decades of experience explains:

For the most part, it is, it's very important and can be sometimes a bit of a struggle getting the right veterinarian, you know, if you've got large animals or even equine, oftentimes there's only one equine veterinarian in that area. So that it is not a conflict of interest for that veterinarian, it's beneficial that in an investigation you bring somebody that is from outside of the area. Because the veterinarian, although there is now in the legislation that they have to report that have, you know, a belief that there may be animal cruelty, it does put pressure on them because this person may be their client. And so, you know, if they're not doing anything wrong that's wonderful, but in a lot of cases they've got like, they got rose-coloured glasses on and aren't seeing, you know, the big picture thing, so we would always take a veterinarian that's from outside of the area if at all possible.

Moreover, the officer continues:

Especially in Northern Ontario, again, it could be very expensive to get a veterinarian into some of those communities to go with you to do an investigation, and they are few and far between in a lot of cases. Yeah. And then when it comes to captive wildlife there is very few of them, experts doing an investigation of

captive wildlife, it really in some cases comes down to one veterinarian's opinion with another.

These findings suggest that individual relationships and chance factors such as geography are playing a significant role in the daily labour of cruelty investigators and their ability to work collaboratively with a suitable veterinarian. The challenge can be augmented when needing one who specializes in large animals, wildlife, or equines. Overall, availability of and relationships with veterinarians were not always a constraint, but given that this crucial resource was still uneven, the importance of veterinarians' work, and officers' comments, I deem it worthy of inclusion. Admittedly, one might not need immediately think of veterinarians as an element of the legal terrain, but given their role in investigations and forensics, this matter is highly relevant for anti-cruelty work (Coulter, 2019).

Uneven support from Crown Attorneys

Officers highlighted another key group of social actors often: Crown Attorneys. The relative degrees of support – or the lack thereof - officers feel they receive from actors in the legal system is a significant factor. Officers interact frequently with Crown Attorneys at various stages in an investigation. The relationship between enforcement and prosecution is vital to the overall success of cases. For example, officers often call upon Crown Attorney's to inquire whether there has been a Charter breach, or whether they are opening up their employer to liabilities. Engaging with legal experts like Crown Attorneys makes sense and is common for human-focused law enforcement agents, as well.

Beyond the obtaining of advice, Crown Attorneys' advice will affect whether and how an officer may lay charges. A recurring issue raised was whether Crown Attorneys are willing to lay charges or not in animal abuse cases. The vast majority of the participants agreed that Crowns are often reticent to lay charges and report noteworthy unevenness depending on whether relationships have been established. An officer with more than twenty years experience explains an early experience:

When I first tried to email the Crown and say I have this case, I would like to talk to you about it. I told him who I was; he emailed me back and said, "no, he didn't." I had to email him twice. Then when he did email me back, he said: "we don't deal with members of the public." So, I emailed back and sent a hyperlink to the legislation and told him who I was, and he didn't reply.

The officer persevered on their mission to serve and protect animals in their community and found a Crown Attorney outside of their region to consult with. This Crown Attorney recommended charges be laid. Notably, the officers' efforts did not influence the outcome. The officer upon receiving the brief from the secondary Crown explains:

So, I took the brief, and went to the Crown in [redacted] and delivered it to him. He looked at it and called me back for a meeting, and he was very nice and cordial. And he said to me, "good investigation" was first when I sat down. And then he told me, it was a long conversation, but the one thing he said was "if you lay charges, I will withdrawal them." So, he already knew, right at the onset, that they were not going to proceed

While the outcome appeared to improve temporarily, with a second Crown Attorney, the case was ultimately dropped given the discretionary power of the original Crown.

On the other hand, an officer with eight years experience reported having a strong relationship with their Crown Attorney's office and did not face the same barriers to connecting with the prosecutor's office in the regions they covered. This officer says:

So, I had the opportunity to be able to work in different areas of the province. So, outside of the scope of a designated area, you know, I've conducted investigations as far as [redacted] to [redacted] all the way down to [redacted] to [redacted] as far North as [redacted] to [redacted] and what I've seen in my personal experiences after building a good rapport with my Crown and staying in constant communication with them and working with them. I have never had an issue pursuing charges, laying charges.

However, the other six stated that support from the court system is very mixed. What has emerged from the data is captured in this powerful quote from an inspector with more than 24 years experience:

There are probably a handful of Crowns that I know in the province that are very, very supportive of the investigators. They think the work that we do is phenomenal. They don't believe that animal cruelty abuse should occur and really take those charges seriously and do whatever they can to, you know, get a good conviction. But then there are others that, they don't know the legislation, they're not interested, and if they're not interested, they don't do a good job, or if they're overwhelmed already, animal cruelty just doesn't fit into their purview. So, I would say that more court systems don't support it than there are courts that do actually support.

Another officer with 18 years experience echoed these findings:

It's hit and miss. It's... there are some that are very supportive. You know, for example, the provincial prosecutors in the city of [redacted] purposely want us to send our cases to them. They are open to us calling them anytime we need assistance or advice on a case, they'll review our briefs before filing them, they also trust us to file them without them seeing them, and they just want to know, and they'll handle every single one for us. Like that's amazing. But then you go to other areas, like honestly, they look for any reason to get rid of the case, because they don't want to deal with it. It's just animals. And for something like livestock that's even worse, because they just don't care, and it's at least a perception. And yeah it seems they work harder at how to dismiss the case to not deal with it than actually upholding it. So, it's very hit and miss around the province for how supported we are by the justice system.

Another interviewee noted the following:

We had for a little while; recently we didn't have a Crown. I think it was contracted out, and we just now got a call yesterday from the new Crown in [redacted], and she has introduced herself to us, and said, by the way, one of your inspectors has a case coming up soon. So, I think we've got a steady Crown now, but for a little while, there was just nobody. So, that's a little bit of a problem, right. It just seems to be like revolving door in the Crown Attorney's office over there. You get used to an Assistant Crown or whoever, and then they just disappear, right. So, then you get somebody new.

If the prosecution is not equipped or motivated to pursue charges, charges will certainly halt, effectively impacting the prosecutorial trend. One officer with more than

20 years experience stated that: *“Okay, so with the court system, the challenge is that they don’t take it seriously. And, while judges potentially would...they don’t often see the cases come before them.”* Indeed, if cases are not seen before a judge this can influence their interpretation of the laws. Clearly the tapestry and unevenness evident with veterinarians is replicated for the crucial relationship with the Crown Attorneys.

Officers reported meeting supportive prosecutors with whom they had shared interests. One officer commented: *“I think for them [the prosecutors], it came from education, plain and simple. Those two prosecutors went to a conference I attended on, and it was all about prosecuting animal cruelty and the link between animal cruelty and other crimes.”* Another officer also reported meeting a prosecutor at an animal cruelty conference:

So, I had met another Crown from [redacted], when I was at a conference in [redacted] for animal cruelty, and she said if I had ever needed help to let me know. Because she knew some of the challenges we were facing and the [specific investigation] was going on when I first met her.

This finding is noteworthy and suggests that broader advocacy efforts to educate and assemble legal actors, including Crown Attorneys from across Canada, are making a tangible difference. Overall, the data make clear the province is something of a tapestry when it comes to the knowledge of Crown Attorneys and their willingness to lay charges and prosecute animal abuse cases. These data mirror Arluke’s findings (2004) that court room officials were often dismissive towards both animal cruelty officers and their cases.

Notably, officers see a correlation between the laying of charges and their effectiveness. For example, one said *“if there were more charges laid. If there were more*

charges found guilty before the courts, more support from the high ups, I feel that it would help me out in my line of work for sure.” The officer continues to explain that if there were more support from the court system, and more consistency overall, the laws, the animal cruelty investigations profession would be taken more seriously.

These findings should be understood within the larger context of occupational (dis)respect, including for animal cruelty investigators (Arluke 2004; Coulter and Fitzgerald (2019). One officer describes that, overall, prosecutors often understood and respected their work, but not always: *“Umm, but there are, again, some that don't just think -- and I don't want to put down Animal Control Officers -- that we were just dog catchers, and you know what, that's all we deal with.”*

These insights should also be contextualized within larger social ideas about animals, and what taking their lives seriously means for the public sector (Coulter & Fitzgerald, 2019). Indeed, the officers spoke about cases being misunderstood or animals' suffering being downplayed by Crown Attorneys:

I'll use an example, again, this is in [redacted], and it's only one example, but there was a couple who had an [animal] that they, umm, that was sick, it really needed to be euthanized. So, they thought that they would overdose it with Aspirin. That didn't do the trick. So, they thought that maybe they run it over with their car. That didn't do the trick. So, they decided to essentially take a shovel to it. That did finally do the trick. So, we laid the charges. We took it to court, and the Crown just went, "Yeah we are not going to pursue this. Their intentions were to put the dog out of its misery. Their intention was not to cause it harm." And like, something like that is so extremely frustrating, and that's just somebody that's

just, you know, they don't care. But it sends a strong message that that's acceptable in that community, so if you can't afford a veterinarian then you can do these things, and that becomes acceptable now. And that's wrong.

These findings are rather disappointing as effective legislation, enforcement, and prosecution of animal cruelty are all vital components to community safety for all species. They also reinforce Coulter and Fitzgerald's (2019) argument that the specifics of animal cruelty investigations are connected to larger social ideas about animals and occupational (de)valuation, both of which are entangled with gender.

My data reveal that that feelings of disrespect were not unique to a specific gender as described by the officers. However, this should not suggest that gender dynamics are not involved in the work of animal cruelty, as Coulter and Fitzgerald (2019) expound. Nonetheless, one participant stated that: *"Sometimes the barrier between we'll call it, I know this is insulating as hell, but 'real' law enforcement and 'charity' police officers is a little bit of a barrier."* The same officer argues:

But I mean, if the Crown's office kind of sees you as, oh just those you know, Charity police guys, I don't know, are they going to have time for us? Are they going to prioritize our cases? So, it's kind of hit or miss?

Feeling disrespected by criminal justice actors (and the general public) was reported often by the officers and, creates limitations as it results in occupational barriers. Coulter & Fitzgerald (2019) argue that these processes are directly entangled with the feminization of both animal victims and animal cruelty investigators, as well as with the off-loading of anti-cruelty work to charities, the "charity police" referenced by the officer above.

With respect to the research question it was found that the complexities of the laws, or the specific nature in which animal law is handled, the majority of the officers responded felt the prosecutors were unclear of the legislation or lacked knowledge. As one officer with 12 years experience describes:

When I say in many cases, I say we have had a prosecutor which is very good, and very willing to put things forward, and we've had a lot of prosecutors which don't understand the legislation. We've had Justices who don't understand the legislation. Again, their interruption of it is somewhat is lax.

An officer with 24 years experience shares the same experience:

And I mean, that's clear, you know, we have had some really stiff penalties, but then there are others that, they don't know the legislation, they're not interested, and if they're not interested, they don't do a good job, or if they're overwhelmed already, animal cruelty just doesn't fit into their purview.

The same officer refers to a particular experience:

You know, I've gone to court where a prosecutor hasn't even read the case until like that morning. And you know, I've also sat in a courtroom where I'm actually, the prosecutor will quote the wrong section of the Act and I'm like, yikes man, it's not what we are here for. So, it's just lots of them just don't understand, yeah.

An officer with 11 years experience suggested that: *“there is lack of experience or perhaps even knowledge for the prosecution. Even the Justice of the Peace, not really understanding, and I think and it probably influences the decisions.”*

Notably, it was suggested that emotions can also play a role. One officer described their experiences:

In many cases, I've seen where emotion will impact a decision. Whether it's somebody saying, "oh this looks horrible" without looking at the entire facts of the case, then saying, "yeah I'm going to proceed with this" and it can work out, and other cases it may not. Then I've seen the other side of it, where there's a lack of empathy on what's happening with the animals, and prosecutors will go out of their way and say "bring me more, bring me more" so they don't have to deal with it, that type of thing. Or they will say, "there isn't a reasonable expectation of prosecution," that type of thing.

As described above, the officers described a barrier to their cases being heard: the structural context, including the training, proper resourcing, and motivation of prosecutors. Moreover, these same sorts of limitations then can impact the judges and Justices of the Peace whom preside over the cases as there is a barrier to familiarity over animal cruelty cases. At present, however, this study is not able to determine how judges, Justice of the Peace, or the Prosecutors understand and interpret animal cruelty law. This is an important issue for future research.

Overall, the breadth of unevenness is clear. There are Crowns who appear to take crimes against animals seriously, but, overall, officers identified the lack of support, knowledge, and commitment among prosecuting attorneys as a key constraint on their ability to serve animals most effectively and use the legal system to combat animal abuse.

Ambiguous law

The following section will discuss the laws, a recurring barrier identified by the officers. All the actors considered above, and their work are governed by the pertinent laws. Notably, all officers feel that the laws require improvement. Many felt that recent

revisions to the provincial OSPCA Act had made improvements, but that much more needed to be changed. An officer with 12 years of experience put it this way:

The animal cruelty laws have gotten better in the past 10 years. The problem with that is, we are still playing catch up for 140 years of bad legislation, ineffective support, and a continuing lack of resources. So, it's great that the legislation has changed, but we still need to bring ourselves up to speed with a lot of different things.

As outlined in the introduction, there have been 15 unsuccessful attempts to amend federal legislation, and only modest changes have been made provincially, namely the adding of restrictions for captive marine mammals.

Officers generally only turn to criminal charges for acts of willful abuse – extreme cruelty, violent, or more serious crimes against animals. Provincial charges, on the other hand are utilized more frequently and for cases involving neglect. The overwhelming majority of participants reported that acts of willful abuse did not account for the majority of their cases, rather cases of medical neglect and cases of hoarding did. The prosecutorial trend outlined in **Table 1** illustrates the decline of criminal charges and the rise of provincial charges. Hence, this trend could surely account for the officers' experience. However, officers discussed their understanding of the limitations of the more complex cases that may contribute to this trend overall. The comment by an officer with 18 years of experience illustrates the challenge:

I don't think I can ever blame a specific prosecutor for a case being thrown out. It's more so they are being thrown into a massive thing that they probably had no training on, no expectation of, and don't have resources to deal with. And as the

province creates these laws that are so complex in big large cases, that I don't just, or typically see at a criminal level, and so that's why a lot of Crown Attorneys at the federal level can easily take a gigantic brief for a case, and they are used to it. They deal with murders and child abuse and things like that, so they are used to these big cases to filter through. Provincially they are not. It's like provincial prosecutors are going to be dealing with domestic violence cases and things like that. Like I said their courts are clogged with highway traffic that kind of stuff.

Another officer with 24 years experience eluded to this notion: “*And we've seen, or if they're [the cases] complicated they are just dismissed.*” When considering the prosecutorial trend, the complexities between provincial and criminal laws must be considered.

The officers had different views about which elements of the legislation are most limiting. A finding which reiterates Arluke's (2004) data that officers confront ambiguous legislation. It was reported that the laws which are unclear increase the challenges for officers. Clear directives elucidate the requisite behaviour and expectations. Arluke (2004) argues that there are more detailed laws for humans than there are for animals which results in frustrations for officers. This certainly is the situation for dogs involved in dog-fighting. An officer with decades of experience explains:

But oftentimes there is, you'll go in, and these dogs are very well looked after. They are in great body condition; they are getting great diet, they are getting lots of interaction with their humans, exercise, etc. And the Act says you can only

remove if there is distress. So, then you go to another piece of legislation to remove those animals. But at the end of the day, it complicates things.

Clear directives are required. As one officer with 10 years experience put it this way:

It [the OSPCA Act] gives us a fair amount of latitude. I mean, the standards of care are pretty good, they take a lot of the opinion out of it. [But] that's the problem, you don't want too much opinion, right? Because if you have different agents, they're going to have different opinions on what constitutes cruelty. There's a fair amount of uniformity, I suppose, among agents as to the obvious ones, right. A dog outside in the middle of winter, without any shelter, that's a problem. He is supposed to have shelter. Proper care, when I hear proper care, I think nails too long. That's a classic example of proper care, so if you're dogs nails are curling back around to the paw pad, that's an issue of proper care. So, that would be that charge. But yeah, it's nice when it takes a lot of the guess work out.

Indeed, discretion and decision-making are part of the officers' daily labour. Each individual officer must confront the law's vague criteria of cruelty. As one officers explains:

Shelter's dicey because there's no hard and fast rules regarding it. There are guidelines as to what a doghouse must be. It must be suitable for the dog; it must be weatherproofed and insulated. X, Y, and Z, these are the conditions, but every dog is different, right. So, a chihuahua is going to be at a much greater risk in the winter if he's outside, than a Husky would, right. A husky could sit in the snow all day long. You could build him the perfect house, and he would sit in front of it, or on top of it,

right. But yea, a lot of it comes down to judgement. Is this animal going to be caused distress? Maybe yes, maybe no.

The lack of clarity within the legislation results in officers having to apply their discretion as to which animal is a cruelty victim and leads to further inequities. Moreover, each member of the criminal justice system – Judges, Justice of the Peace, Prosecutors, and enforcement officers – all may have different understandings as to which animal is a cruelty victim given the state of the laws, including the silences and lack of clarity.

Intersecting Issues Between People and Animals

The data reaffirm that in these cases, animals are not the only victims. Three issues of this kind emerged from the analysis: Hoarding, mental health, and low income. Notably, this fact adds to the challenges for the officers. As one puts it:

One of the biggest issues that we've had has to do with animal hoarding. As well as, recently there has been a lot of serious crimes that have crept up in the past, not in the past, but in recent times. But hoarding has to be one of the biggest issues. We can go in, and we can use the legislation to justify how we can remove an animal from a location because the circumstances are not safe for the health and wellbeing are at risk, there's concerns of sanitation and ventilation. The general health and wellbeing of the animal is being placed in distressed at this point. We can argue those points and present our evidence and say, "yeah, this is what it is, and this is where the danger is." The problem is, that we are still falling behind, because we can remove those animals and we can place the person under charge or prohibition saying you can't have any animals anymore or for a period of time, but there is no mechanism in place to help that person cope with the issues that they have.

Hoarding is a distinct matter that is normally linked to mental disorders, and this officer eluded to the structural challenges that result in addressing the symptoms, not the causes:

We're not looking after what is causing the hoarding. It's only been in the past two decades that hoarding itself has been seen as a mental issue or a mental health issue, or something that, you know again falls in that particular category. So, it's relatively new in that respect. If they're only looking at it now as a mental health issue, then okay, we need to start bringing more people into this now.

Hoarding, when animals are involved, can lead to behaviour that contravenes the law. Notably, scholarly insight documents almost a 100% recidivism rate for hoarding behaviour (Patronek et al., 2006, as cited in Lockwood, 2018). How to address this specific type of behaviour is challenging for enforcement officers and lawmakers alike. If hoarding is not addressed appropriately, people and animals continue to suffer. One officer with eight years experience explains:

She's a hoarder, and they look at it, you know, hoarding is a mental illness, you know, are we really gonna help this lady by putting her in jail? And maybe that's why they just keep repeating it and putting her through the motions.

The officer continues:

And then on top of it is that you know, the lack of officers on the road. We don't have the resources to go and check on these prohibitions. Like I just previously said, we have a woman that I charged that has hoarded rabbits. Yeah, she's on lifetime ban. I haven't checked on her, in I bet you, four years, because I just don't have the time to go there. And if I go and she does have a lot of animals again, there it's tied me up on this case where everything else is piling up on me.

The challenge of dealing with animal hoarders is indeed a limitation the officers face. Some officers identified animal hoarding as one of the leading concerns they face. As Lockwood (2018) notes, hoarders are more resistant to change and less likely to participate in therapy – and there is no established therapy the courts could prescribe. These kinds of challenging and labour-intensive cases, those that may require the involvement of mental health professionals, pose significant challenges for officers because the law does not single out hoarding or delineate specific courses of action. The challenge is deepened because there is only ad hoc collaboration among officers and social service providers, and due to officers' large case loads (Coulter, 2019). Those given bans require regular monitoring and that requires more front-line workers.

Occupational Isolation

The final constraint identified was how the officers expressed an inability to speak with their supervisors, employer, or their various social circles. This extends more from the organizational context of their work, but that is directly related to the legal terrain: the off-loading of animal cruelty investigations to charities. Officers expressed their frustrations towards their employer, the lack of change within the legal system, and the lack of support from the government, all structures which fail to support and limit them on the front-lines effectively impacting the animals they serve to protect. An officer with 12 years experience responds to the question of feeling supported beyond their family and friends:

No, just because of, you know, the recent things that have been going on, where you know, we can't help anything, we don't investigate dogfighting anymore, things like that. And people talk about it. And they get, they start asking me

questions about it. They, like it's not like they are mad at me, it's, you know, the heated conversations start, and I hate defending the organization when I have the same opinion they have. So, umm, when I'm outside of work I try not to even talk about it with, you know, the other social circles I am in, just because their frustrations and I, sometimes I am just embarrassed I don't have an answer for any of it, so I just try to keep all that separate.

Another officer with eight years experience describes the pressure from the general public:

So, I know as an officer that plays on your mind in every case you're sitting there going, what I do now the public's going to criticize, one way or another. "Well you shouldn't have taken that dog from that person", or "you should have taken that dog, what took you so long?"

The same officer continues:

I think the other side of it is, is that as an officer, you have no opinion. So, when someone publicly attacks you and the organization you work for doesn't publicly defend you, you have no recourse. You can't do anything. It's not like you can go on your Facebook page and start putting out comments because you'd be reprimanded for that.

A number of participants remarked that they could not fully express themselves. These findings are consistent with the research, specifically Sanders (2010) who argues emotion work and emotional labour are vital for veterinary technicians. Given that veterinary technicians (and animal cruelty officers) navigate relations with both human and nonhuman animals, their emotion work and emotional labour is noteworthy given

that workers suppress their genuine feelings and must perform “professionally” (Sanders, 2010). Concerns were expressed by officers about not having an opportunity to be heard or feelings of having an opinion by those around them, from the public, their organization, or the government. These findings would suggest that, despite the officers working the front-lines, their experiences and opinions are not regarded and may be related to the occupational disrespect they receive overall.

Within the larger social context, the officers are challenged to navigate outside influences, and it leads them to become occupationally isolated. Moreover, the officers must confront these situational stressors, challenging their ability to do their job as there are contested meanings of cruelty within the larger social, cultural, and organizational context.

Summary

When examining the context of animal cruelty investigation work, the unevenness is clear. The ad hoc collaboration and relationships among veterinarians, and Crown Attorneys is a substantial limitation to combating animal cruelty in Ontario. Despite the combination of structural and interpersonal devaluation of animal cruelty work, the many kinds of inequities, and the cross-section of other limitations, officers persevere. They have developed strategies for coping and for navigating or subverting the limitations, important dimensions of their work to which I will now turn.

iii. Key Finding #2

How the Officers Overcome, Negotiate, or Skirt the Constraints, and Exercise their Agency

As is the case for many devalued workers, anti-cruelty officers have developed a cross-section of different strategies for confronting the many interpersonal, social, and structural challenges of their labour. How specifically they exercise their agency can be grouped into four clusters: 1) coping strategies; 2) education and building relationships; 3) decisions of the officers - education, orders, and charges; and 4) desire for change in the face of legal challenges to address and overcome legal constraints and limitations, and better protect animals and people.

Coping Strategies

First, animal cruelty officers learn to cope with the challenges and limitations of their work. This is akin to Arluke's (2004) notion of humane realism in which the officers must perform their job amidst these challenges. The internal emotion work the officers perform off-duty acts as part of their coping strategies to support their performance of emotional labour on the job.

He et al., (2002) in their research on the coping strategies of human centered policing, suggest that women turn to emotion-focused techniques, while men tend to favour problem-focused techniques. My data did not identify many specific gendered differences to the coping strategies identified by the participants. The overwhelming majority – male and female – identified talking as a coping strategy. Perhaps the most striking finding is that all officers spoke of their employer's Employee Assistance Program (EAP), and all identified that they have *not* utilized it. The officers felt that the

program did not meet their needs. One officer reported they did not feel comfortable utilizing the EAP or accessing counselling because: *“they can’t appreciate what I would go through as a front-line officer, where as if I spoke to another officer about my frustration, they can understand it.”* Others felt the EAP program was not in tune with their specific needs. When the officers spoke about talking as a coping strategy, they referred to speaking with their peers, primarily. Two male officers discussed the use of dark humour as a strategy, a notable gendered difference. A male officer on both strategies explains: *“Brutal honesty, humour and that strong bond with front-line officers, and talking with people I trusted about the frustrations.”*

All but one discussed finding ways to distract themselves or disconnect from work. As one female officer explains, this can be a challenge:

It’s probably one of the biggest challenges for a lot of people. You really have to learn to leave work at work. It’s easy for you to get wrapped up in your work and want to be here all the time and want to save the world and save the animals and stuff. You really have to put forth, for me personally, an effort to detach yourself, find your personal hobbies and don’t lose those interests in life, because it’s easy to do.

These data are consistent with Coulter and Fitzgerald’s (2016) finding that that officers find ways to cope with the difficulties of their work. Similarly, Arluke (2004) suggests the officers develop a sense of humane realism as they learn to navigate the requirements and the subsequent limitations of their jobs. The officers in this study found ways to cope as a survival strategy to the substantial limitations and the structural and interpersonal devaluation of their work that they confront daily. This is a self-managed and directed

form of agency. As Coulter and Fitzgerald (2019) argue, these strategies are about resilience and personal survival, which distinguishes them from forms of agency focused more externally and explicitly on creating change.

Officers educate and build relationships to navigate their limitations

As noted in the section above on limitations, relationships with key partners in the larger world of animal cruelty investigations, particularly with veterinarians and Crown Attorneys, are both uneven and influential. As a result, a central strategy officers used to try and improve the prospects for thorough investigations and prosecution is through relationship building. This could be through individual commitment or collaboration with fellow officers. The participants spoke about a team of officers working to educate the prosecutors. An officer with 11 years experience describes the following:

I know, there's a few people [officers] that I know in this line of work that have, and I give them a lot of credit, I appreciate all the work that they have done. They've created documents and case law and try and work really, really hard to educate the prosecutors, 'cause they are the ones fighting for us. So, to educate them and let them know what we're all about because a lot of isn't that they [the prosecutors] just don't care, it's just maybe that they aren't educated. There is that out there.

A long-serving officer insisted that relationship building is vital to improving the interactions between enforcement and prosecution:

I think first and foremost by reaching out, probably not just the local officers, but the local officers with their regional manager, to actually just schedule meetings with prosecutors as meet and greet almost. Who we are. What we do. What's

working and what isn't, and why. Just hash it out. Again, I always believe that anything can be worked out with respect and diplomacy.

An officer of 27 years echoed this notion within local law enforcement: *“That’s what I would say, you know one of my retired police officer friends has suggested that I make an appointment with the chief and tell him these things. And I probably will because it is pretty important.”* Another confirmed these findings for prosecutors: *“I’ve seen in my personal experiences after building a good rapport with my Crown and staying in constant communication with them and working with them.”* Arluke’s (2004) research also found that officers were committed to educating prosecutors not only about animal issues, but about their own roles and knowledge.

Animal cruelty officers are first and foremost law enforcers, however they are also part nurse and social worker, as argued by Coulter (2016) and by Coulter and Fitzgerald (2016). I would argue that their work extends further to being a kind of humane educator as they encourage the general public and other criminal justice actors, including prosecutors, and Justices of the Peace. Remarkably, officers are acting to improve the desirable outcome through spreading humane education into the legal system as well as relationship building. Notably, this work is officer-driven and not coordinated by their employer(s). The degree of success will depend on individual officers’ decision to use this strategy, and their relative effectiveness. That said, the data suggest that when officers do enlist this strategy, it is beneficial and facilitates greater communication and collaboration, thereby increasing the efficacy of the enforcement and the protections for animals.

Decisions of the Officers - Education, Orders, Charges

Further analysis of the data reveals that the uneven support from the legal actors and the overall unwillingness of the prosecutors can influence the officers' decisions. OSPCA officers make decisions daily about whether to educate, issue orders, or lay charges based on what is likely to succeed. However, they also make key decisions based on the support they receive. The relationship between enforcement and prosecution certainly is a vital one in pursuing animal cruelty charges. Arluke's (2004) discovery of the officers' experiences of frustrated feelings and discouragement by the court system are emulated in my study. This frustration is obscured as the officers have other approaches to help the animals in addition to the occupational disrespect they receive.

Officers expressed they should pursue animal cruelty charges only when deemed necessary by their discretion. They described employing education first and foremost, overall success with orders, and utilizing charges when clearly necessary or in the most serious of cases. This is a significant dimension of the officers' ability to make decisions based on what they deem best for the animals and humans involved, and what they consider to be the prospects for prosecution. The overwhelming majority of the officers emphasised their choice to pursue education, orders, or charges as a significant dimension of their work. For example, an officer with more than two decades of experience describes:

If an animal is in distress, food water shelter, care, there is a bunch of other things in the [legal] definitions. If it needs those things and it doesn't have them, then it is technically in distress. If it is not to a point where they have broken the law, and where is that, it is kind of a grey area. If your dog is thirsty and water isn't in

front of it, then you have broken the law. But is it reasonable to waste our resource, the courts resource, etc. when we can just educate that person? No, we will do that [the education]. So, we will educate them, even before an order. Like, hey, you know the chain is tangled up, have it free and clear. You know, use a ring around it or whatever so that it gets free. Give them tips and hints and if they are not getting it, then we issue the order; then if they are still not getting it then we will remove the dog, and potentially lay charges.

Another officer explains: *“my philosophy is always education before enforcement, and we try to make things better for an animal before we ever had to take that step, and we would do that if we felt it was the appropriate thing to do.”*

In addition to being cognizant of the limited resources of the organization, an officer suggested that proper communication would impact their decision making: *“It’s like what the hell, if you answered your damn phone a week ago, I could have either changed something, or we wouldn’t have bothered filing charges, or done OSPCA charges or tried to solve it outside of court, right.”*

Speaking directly to hoarding another officer explains:

And you know, these people [animal hoarders] don’t have any money right so, you’re not going to get anything out of them as far as compensating for the cost for what it takes to care for these cats. So, sometimes what are you going to do? We can handle this situation, I know this is a loaded word extra-judicially, it makes it sound like street justice. We can handle this, out of court, without the complicated procedures, just deal with this ourselves, internally and with that person, and solve the problem, hopefully solve the problem permanently. Or, you

can, the alternative is hit them with paperwork, that they cannot comply with, then you go in and seize their animals, now you've seized property, now there are mechanisms to make things complicated.

Often, this strategy is about building trust with an end goal in mind, as another officer highlights:

I dealt with one lady who would only deal with me, because I had helped her once, so she didn't trust any other officers. She said they were rude, and she didn't trust police either. She had too many cats, right. So, I didn't have to enact the machinery of the state to charge her or criminalize her. We were able to slowly, the cats weren't, you know, being abused, she just had to damn many. So, we got them out, small numbers at a time, as we were able to, get them through the adoption process and out. I said okay, person X, your down to 'this many' we want to get this many out, can you do that for us. She said yes.

These findings – and the statistical data from recent years presented in the introduction - suggest that officers are willing to circumvent the court system and utilize OSPCA orders as a way to navigate the challenge of an unsupportive legal system and to aid the humans involved. In fact, they spoke to how effective education and/or orders were in helping animals. One officer describes it in numbers:

I took on the philosophy of education before enforcement and using those orders as a means of educating, our compliance rate went from something like 63% to like in the 80 percentiles. So, it really made a big difference. You know, if we look at the number of cases that we investigate every year to the numbers of orders

that are written and then to charges that are laid, it shows that the orders work by educating and that the education before enforcement works as well.

If officers observe overall success of employing education or orders over charges, it is not surprising that unsupportive legal actors would influence some of the officers' decision-making. Arluke (2004) also found that officers believe educating animal owners is more efficient than going to court.

Officers had an overall understanding that when their investigation proceeds to the courts, it is those involved in the legal proceedings that determined the outcome. More efficient is undoubtedly true; whether it is more effective is an open and complex question. We can assume that the relative effectiveness of interactive education versus punishment will be shaped by many factors, particularly the action/behaviour in question, and the person, their attitude, their resources, and their circumstances (Coulter, 2019). Officers clearly exercise their best judgment when deciding how to proceed, but are also being influenced by their experiences with the legal system and their perceptions of the likelihood of prosecution. For example, an officer explains:

Obviously, the criminal cases are taken seriously, but the courts don't want to see a case of 64 dogs and then 64 charges of neglect and abuse when the outcome is going to be the same if found guilty. They may get a lifetime prohibition. You know, they may get some other subsequent consequences as a result of the sentencing, but when as an officer you are over passionate in the charges that you lay, that's sometimes gets, it muddies the water and the outcome is, you know a number of charges being dropped just to suffice one solid charge moving forward.

Perhaps the most compelling finding about the prosecutorial trend is that officers' decisions are impacted by feelings of not being supported overall. Officers have the option to pursue education and/or orders prior to laying charges, thus, effectively settling out of court. The decisions officers make directly impact the prosecutorial trend – that is, the statistical data is directly influenced by what route officers chose to use. A decrease or increase in charges does not tidily reflect whether more or less animal cruelty was occurring; the numbers are inextricably connected to officers' decision-making process, which, as I have illustrated, is itself shaped by their perceptions about whether a specific case will be taken up and taken seriously by an individual Crown.

A number of the participants reported that their decisions are impacted by the lack of or uneven support of the Crowns with three officers' reporting they were not influenced either way. These participants remarked that once the charges are in the prosecutor's hands, they have accomplished their job. Notably, the officers are responsible for providing testimony to the courts. As one officer with nearly twenty years on the job puts it:

I think we always have to realize that the prosecutors can do what they want. Our job is done when we lay the charges and turn the brief over, and if they are willing to talk to us, that is a wonderful relationship, and a very like respectful, courteous thing for them to do, and something we should nurture.

Another officer says:

I mean, you kind of, it's always out of your control. So, you kind of half to expect for the worst, but hope for the best. I think. I don't know that it really influences my decisions on laying charges. I just, you know, when it is all said and done, the

decision is not mine. So, I can put my recommendations, but ultimately, they have the final say in it.

Another officer shared the same sentiment, that lack of support does not influence decision making. However, they described a different experience with a colleague:

It doesn't [influence their decision]. It's getting to the point recently though that, I was just speaking with one of our senior investigators. It's one of their jurisdictions, But she has great support with the Crown Attorneys at the federal level. So, she was saying how it's just such a waste of time almost, to use provincial, that you almost just want to go criminal with everything, which I think that could be heavy handed in some cases though, right? So, it's just sad that you get that lack of support provincially, which would be appropriate in a lot of cases, to the point that you want to go criminal just because you have a prosecutor that's actually gonna take it seriously.

On the other hand, an officer suggests that they would take different routes to save time and avoid the occupational disrespect:

You know, it, again it goes back to the officer thinking, man like should I even have taken this route because there is something else I could have done for that animal that would have avoided like so much time being spent, not being respected, you know, and that complicates things as well. And whether there should even be an effort to lay charges on certain things depending on the community that you live in.

In addition to experiencing occupational disrespect, most officers frequently noted how the lack of support from those within the legal system impacted the way they made

decisions. An officer with 11 years experience articulates the problem simply: *“I think that at the end of the day animal cruelty laws are just not taken seriously by the court system and that really complicates what we do or we don't do and how we proceed.”*

When prosecution does not support, is not willing, or is ill-equipped to proceed with charges of animal cruelty there are implications to those on the front-lines. Given that the officers' have other methods to navigate, or skirt these limitations, what is expressed is the officers' frustrations within the limitations of their work. As one officer with decades of experience puts it: *“So, people are getting away with cruelty and it makes, and I took an oath to do my job, pertaining to cruelty and lay charges but it makes me question, why would I do that? Why would I waste our resources, humane society resources, that could be spent on other animals, when nothing is going to happen.”*

These results suggest that there is a clear connection between prosecution and enforcement, but that some officers still choose to act based on their own assessments, rather than allowing anticipated responses and their guesses about relative prosecutorial enthusiasm to influence their judgment. Those that reported they were not influenced had good relationships with their Crown Attorneys, with the exception of one officer. What emerges from the results here is that it is likely that the prosecutorial trend is influenced by many factors including the decisions and discretionary powers made by prosecution and front-line enforcement alike. A larger pool of data on this dynamic would be helpful.

Desire for Change in the Face of Legal Challenges

Undoubtedly, the decisions that officers make are complex. In all cases, the officers reported they will attempt to do what is in the best interest for the animals given the substantial limitations they confront. Coulter and Fitzgerald (2019) report that some

officers have left animals behind due to lack of evidence. Notably, leaving animals behind due to structural limitations is also reinforced in Arluke's (2004) data. An officer describes substantial financial limitations that prevented them from removing animals:

But then when it comes down to, as I was saying earlier, just removing anything, that's when the breaks come on, because the direction is, "there's no money to remove an animal," and that's when things start to get frustrating, and arguments start.

Structural and interpersonal limitations result in officers unable to remove animals, despite the legal mandate to do so.

Yet, officers also want to see more substantive changes in the area of legislation. Participants were asked to consider the structural constraints they confront with the laws. Notably, they all shifted the conversation quite promptly away from the limitations to ways they wanted to see the laws amended.

In their accounts of the cases surrounding dog-fighting an officer with decades of experience describes the solution to the limitations of dog fighting laws:

So, there should be something in there that, you know, there is a section that speaks to training of fighting dogs. There should also be a spot that allows for the removal of dogs if there's reasonable grounds to believe that, that act is being committed.

Particularly revealing of the officers' resiliency is how the participants describe the challenges ambiguous laws pose, and then bring forth ideas for change. This theme continues as one officer refers to the cost of care:

I think that if animals are removed and an individual appeals that decision to remove, which they're entitled to do, I think that that's quite acceptable. I think that there should be something within the legislation that allows them to put a cost of care and trust to be held until the final determination of the board. And that way you're not spending months and months and months arguing a situation and animals are kept, and I don't want to say institutionalized, but essentially, they're not in there forever homes. And so, it compromises their [the animals] well-being and it puts tremendous stress on any organization that has to provide care for those animals while it's going through the court system.

Moreover, when looking at how the cost of care stresses the organization, as demonstrated above, officers spoke about the limitation on resources has on their ability to remove animals, despite the legal requirement. An officer further explains how they navigate this challenge:

It's extremely frustrating, this line in the sand. Uh, so if I go into [region], go to the [shelter], somebody wants to surrender a cat, "Absolutely. Take it. Bring it in. We'll find room for it. We'll do what we can for it." I have eight dogs I have to remove them. "We will find room. Let's do it." I am in, back in the [shelter]'s area, I have somebody who wants to surrender a kitten, "Absolutely not."

Each animal shelter manages its own budget, thus, this officer who works across two regions is able to skirt the challenge of removal and costs by choosing the best destination. But not all officers can do so and the majority of the cost of care falls to the OSPCA and their affiliates. At times, this means that they are unable to financially care for all the animals in question. This is significant. The officers can only function to their

full humane potential with adequate funding. Hence, the rather persuasive argument by the officer to make changes to the cost of care is striking – as is the move away from charity-based enforcement.

With respect to captive wildlife, a similar challenge is evident:

You know, when it comes to captive wildlife for instance, you know, again, the government puts the onus on the Society for regulating and essentially monitoring them. I think that, again it's costly, like what do you do with the number of animals that are in the zoo if you have to remove them? Primates, for example, if you need to remove them, very challenging to locate them. So, who takes that responsibility on? The Society does. So, if the government were to step up and license those facilities and put criteria in place, it would certainly make enforcing care a little bit easier.

Whether animal care should be a public responsibility is a very salient and timely question.

Overall, when the legislature drafts laws and makes policy, consideration must be given to the practical enforcement on the front-lines, and should build from officers' knowledge. Ambiguous and inadequate legislation results in a multitude of challenges and limitations for the officers to pursue cruelty charges. Those who labour on the front-lines have valuable insight into the practical applications, challenges, and limitations of the laws (see also, Coulter, 2019). Notably, when those limitations relate to challenging criminal charges this is of particular importance due to the level of crime.

Cases such as puppy mills, dog fighting, and animal hoarding are extreme circumstances in which laws limit the front-line enforcement officers from preventing

harm – the animals must already be suffering or in distress. However, and most notably, there are instances where animals experience repeated suffering; medical neglect, animal hoarding, the most frequent type of cases reported by the officers in this study. As Coulter (2019, p.11) states, animal cruelty falls on a spectrum and requires the officers to use their experience, knowledge, and skills to determine the corrective path based on many factors.

A recurrent theme throughout the interviews was the officers need to express their desires to make changes to the current structural constraints within their legal requirements of their work. As one officer put it:

I truly believe that one of the best ways that we can make that impact with government is [to] have the officers on the ground, you know, make themselves heard as well, or be allowed to be heard, in many cases. Because, there is people at the top that don't see what we do. They don't understand that it's hard, but they are not in these buildings, they are not crawling through feces and debris and working long hours in that respect.

This is an insight well worth heeding.

Summary

The participants on a whole demonstrate the different ways that they overcome, negotiate, navigate, or skirt the legal requirements and limitations of their work. This study overall, demonstrates that the officers understand their legal requirements as limiting and limited, thus, they explicitly seek ways to increase the efficacy of enforcement and prosecution of animal cruelty. The officers self-manage their feelings as a survival strategy to cope with their work, however, they also seek ways to make more

relational and substantial changes. The officers seek to educate and build relationships to negotiate the larger structural and interpersonal devaluation of their work. They communicate their desire within a larger social context for legal amendments to the structural constraints they face with the laws.

Chapter 6: Conclusion, Recommendations, and Future Work

The aim of this study is to understand the experiences of front-line anti-cruelty workers, how they are shaped by the legal terrain, and how they respond. This research is motivated by an interest in finding ways to improve anti-cruelty work by building from workers' perspectives. I am guided by an awareness that improving the conditions of the workers will help better protect animals, and, in some circumstances, animals' guardians, particularly at the intersection of interpersonal violence or mental health (Coulter 2016). This concluding chapter will expand from the key findings to identify steps, strategies, and solutions that could improve anti-cruelty work. I also consider the limitations of the study.

Given the state of animal cruelty investigation work in Ontario, the uncertainty of its future in Ontario (Coulter, 2019), the challenging working conditions (Coulter and Fitzgerald, 2016), and the structural and interpersonal limitations identified in this study, these are not yet truly humane jobs. While some of the study's findings are discouraging, the desire and expression for change among the officers is significant. Coulter (2016, p. 151) emphasizes that solidarity needs to be go beyond empathy and must be accompanied by a political perspective. Indeed, the officers demonstrate forms of interspecies solidarity on a daily basis, by enlisting various strategies to try and overcome legal constraints in order to better help animals. There is still a clear need to make further changes to policy and practice in order to better protect humans and animals alike. Crucially, the individual actions of the officers are not a replacement for significant legislative, organizational, social, and political changes that would positively alter the terrain in which animal cruelty investigation work is undertaken in our society.

In keeping with the aims of this thesis, I propose four key recommendations: 1) a *provincial public system of enforcement*; 2) *dedicated prosecutors*; 3) *creating jobs in the area of forensic veterinary medicine*; 4) *emotional and psychological support for the officers*. There are many salient insights stemming from both this study and Coulter's (2019) research that can inform thoughtful policy-making about the future of animal cruelty investigation work in Ontario and beyond. More broadly, Favre (2004) proposes three vital changes that can help better integrate animals' interests within the legal system. First, is through the state legislative process rather than a federal approach. Legal change through the courts is the second approach. Favre (2004, p. 95) explains that court opinions set a tone and activists arguing for animal rights, specifically in balancing the interests of human and non-human animals, will aid in pursuing legal rights for animals. Finally, Favre (2004) to foster change, proposes a new tort. The proposed tort places a duty not to interfere with the fundamental interests of animals and has three elements: "1) an interest of fundamental importance to the plaintiff animal, and 2) interference with that fundamental interest or harm by the actions or inactions of the defendant, and 3) the weight and nature of the animal plaintiffs interests substantially outweigh the weight and nature of the defendant's interests" (Favre, 2004, p. 96).

Notably, Favre (2004) does not address the challenge of prosecutors being ill-equipped, or unmotivated to act on behalf of animals, however, or the challenges of front-line investigations. A humane job lens helps strengthen such a vision for change. Effective enforcement, prosecution, and legislation of animal cruelty are all vital to the strength of anti-cruelty work overall.

i. Recommendations

First, in order to effectively revitalize animal cruelty investigations, considerations into the alternative models of the charity-based approach must be undertaken. Coulter's (2019) examination of public perception presents promising options for the future of animal cruelty investigation work. Coulter (2019, p. 29) argues, "a well-coordinated system is in the best interests of animals, officers, and all members of the public." In addition to examining the public perception and support for animal cruelty investigation work, Coulter (2019) augmented the findings with an analysis and determined that a public model is in the best interest for all. The data in this study reveal that there is a necessity for a shift to the overall efficacy of animal cruelty enforcement, particularly in the area of pursuing cruelty charges. Moreover, the front-line officers that participated in this study expressed their explicit desire for structural and interpersonal change. In fact, two participants explicitly recommended a move away from charity-based enforcement.

Animal cruelty is linked to various social issues, including interpersonal violence, mental health, income levels, animal care costs, as well as other types of crimes (Coulter, 2019, p. 10). In light of Coulter and Fitzgerald (2016) and Coulter's (2019) findings coupled with the outcomes of this study, I too, recommend a provincial public system of enforcement. In order to protect animals and people, the Ontario government must commit to an adequately resourced animal cruelty investigation system that includes jobs in front-line enforcement, veterinary forensics, animal care, and within legal proceedings. Additionally, the integration of community engagement programs - much like those in New York - that aim to support pet owners with their needs while also addressing

hoarding and neglect. Community engagement programs will work to deconstruct community well-being from a multi-species viewpoint. Given the specific challenges with medical neglect and animal hoarding, a well-coordinated public system will be positioned to provide specialized knowledge, resources, skills, and experiences to aid all species involved.

Given that animal cruelty enforcement work is being reimaged at the time of this study, deeper understandings of the political implications are needed. Research has demonstrated that the Ontario government should take a stronger stance on animal cruelty. Notably, the current provincial government is not investing in social services; in fact, they are making draconian style cuts. The Conservative government, led by Doug Ford, cut \$46M to the provincial police budget (Jones, May 13, 2019) despite the news that the OSPCA would no longer be enforcing animal cruelty laws. The state of politics and the cuts to social and police services is noteworthy, notably because five out of eight officers in this study identified adequate funding as a recommendation to change that would allow them to conduct their work more safely and efficiently, and for more animals to be reached. I argue for the creation of more humane jobs in front-line enforcement. There simply are not enough people doing this work given the workload. Four officers expressed the need to have adequate staffing to handle the call volume effectively. An officer shares the following:

Having more officers would help us with our call volume, we would have more officers to be able to get to the numerous calls that we have. We would be able to cover more ground. Officers would be able to deal with more complex cases in a more timely manner as opposed to having to put things aside and deal with

emergency calls or higher priority calls in the very beginning. Sometimes if we are looking at a call where we have to do rechecks on or go back, these things may get pushed back because of an emergency call that may have come in, and sometimes these may take up a bit of time. On the larger cases where we have a larger number of animals, we don't necessarily have enough personal to be able to deal with it effectively as we did before.

Coulter and Fitzgerald (2016) have identified the impacts to workers and animals alike when animal cruelty work is not adequately funded. The participants in this study reiterated the findings in Coulter and Fitzgerald's (2016) study identifying the need to have more officers to improve safety of their work overall. An officer explains that their strategies for investigations and compliance are multi-faceted; the strategies also serve to keep them safe. The officer shares this:

And it's for my own safety, too. I'm by myself and if I escalate things, a long ways, I'm by myself, I could be in the middle of nowhere, the help is a long ways away, and I have no way to contact someone to get out there.

Another officer says: *"It's a very difficult balancing act and it's not even a balance, the officers are suffering, they're truly overworked and you know that brings about its own level of safety risks."* There is a clear need to consider alternatives to the charity model and making the shift to a provincial public system of enforcement with a specialized anti-cruelty unit is vital for the efficacy, efficiency, and the overall safety of the officers who perform the work.

Second, Coulter (2019) examines, the partnership with the ASPCA (American Society for Prevention of Cruelty to Animals) and the New York Police Department

(NYPD) in which the ASPCA supports the law enforcement of animal cruelty with programs and services. These services include:

- veterinary care through the organization's own veterinarians or partner veterinarians (24-7);
- delivering expert veterinary forensics investigations and reports;
- providing animal care and adoptions; and,
- a team of animal law experts who can provide legal support to District Attorneys' offices (the equivalent of our Crown Attorneys)

Given the uneven support among the legal actors and veterinarians identified in this study, there are many lessons to be gleaned from the NYPD partnership with the ASPCA. Notably, four out of the eight officers recommended making changes to the relationships with the Crown Attorneys. Of particular importance, one officer recommended the need to have people motivated doing the work. The officer shares:

The solution is maybe having people that do want to do it, and when a case is brought in for animal cruelty that prosecutor is then brought in to deal with it. Instead of the local prosecutor that doesn't want to. So, I think the biggest change will come from really the ministry level down to the courts itself.

This study has revealed the impacts of an ill-equipped or unmotivated prosecutor. The officers are acting to improve the desirable outcome through relationship building, and their degree of success is dependent on the individual officers' decision to use this strategy, as well as the overall receptiveness of the prosecution. Dedicated anti-cruelty prosecutors would facilitate greater communication and collaboration, thereby increasing the efficacy of enforcement overall. Thus, my recommendation, is for there to be Crown

Attorneys dedicated to animal cruelty work. More and more jurisdictions across the United States are creating dedicated prosecution units to build expertise and concentrate on the very serious crimes against animals that warrant charges. This idea holds promise, and is worthy of further study.

Given the state of the ambiguous laws in Ontario, a dedicated legal unit would also work to improve this legal constraint. As one officer puts it:

Now, I'm a firm believer that legislation needs to be changed. I don't know if it will happen anytime soon, unless like the animal welfare laws, there's a group that can successfully table proper changes and articulate how to do it and why it should be done.

My findings suggest there is a clear connection between prosecution and enforcement, and some officers make certain decisions based on their assessments of relative prosecutorial enthusiasm. It is likely that the decreasing prosecutorial trend of animal cruelty cases in Ontario in recent years is influenced by many factors including the decisions and discretionary powers made by prosecution and front-line enforcement alike. Thus, having dedicated prosecutors would help address the interpersonal challenges and could assist with the interpretation of ambiguous laws. On a final note, and to reiterate Coulter (2019), implementation of specialized anti-cruelty units signals that animal cruelty will be taken seriously and sends a message to offenders and to the public at large about the value of (certain) animals in society.

My third recommendation is for the creation of humane jobs in the area of forensic veterinary medicine including those with expertise in large animals, equine, and farmed animals, to aid animal cruelty investigations. The uneven relationships with and

availability of suitable veterinarians highlighted in this study is an important piece of the puzzle when thinking about improving anti-cruelty work. “Expert veterinary forensics assessments, reports, and testimony are essential to effective animal cruelty investigations and prosecutions” (Coulter, 2019, p. 27). The United States has progressed further than Canada in terms of veterinary forensics education, services, and infrastructure (Coulter, 2019, pg. 27). Investing into the field of forensic veterinary medicine will ensure there are highly specialized and technical level of knowledge available to support the front-line enforcement of animal cruelty. This would involve veterinary colleges expanding their training and could include a team of publicly-funded forensic veterinarians.

Protection of animals, specifically those in agriculture, captivity situations, and in horse stables, must be considered given the failure of the current system to protect their experiences. Moreover, extending the boundaries to protect all animals, regardless, challenges our way of thinking about animals and our multispecies communities. If Ontario creates forensic veterinary jobs, this should be accompanied by an understanding of the many gaps in care. Creating jobs is in the spirit of a well-coordinated system while keeping the best interest of animals, members of the public, and the officers front-of-mind.

Finally, as the province transitions away from the OSPCA conducting animal cruelty investigation work, there is a clear need to build in a support system for the officers. This change would likely require comprehensive research and understandings of the distinct needs of law enforcement, animal cruelty, the human-animal violence link, hoarding, and occupational devaluation. Within the larger social context, the officers are isolated occupationally and as Coulter and Fitzgerald (2019, pg. 295) emphasize, they are

exposed to “violence, neglect, and difficult situations such as people trying to cope with dire poverty or illness, or the abuse of children and women alongside animals”.

Moreover, they confront situational stressors, and this impacts them on profound levels.

One officer shares:

Now fortunately in the history of the SPCA to the best of my knowledge and to the best of the knowledge of the organization, no one has taken their lives from what they have seen or what they have experienced. But I know people who have left, who were suffering so bad that the thought crossed their mind. They didn't act on it, but they thought of suicide, because they couldn't deal with, what they were seeing, and fortunately for them they got out before that happened. It's all those different dimensions, public scrutiny, lack of support internally, what you see each and every day and public interactions with the people who have been accused of animal cruelty that builds on a person, and everyone has their limits.

The officers all identified limitations within the current employee assistance program and their predilection to reach out to their peers for support. The off-loading of animal cruelty investigations to charities with little to no support from the government has substantial impacts that is directly related to the legal terrain and the safety of the officers. One officer explains:

So, you have officers that are literally overworked, exhausted on the road, doing calls, making decisions, it's going to be that one bad day and the wrong decision and it could cost them and that's unfortunately just the world that an officer works in.

This study has established many factors involved in the decisions of workers, situational stressors included. Evolving the emotional and psychological support for the officers is,

in fact, needed to best support the front-line enforcement of animal cruelty work. Moving the work into the public sector is a good start and offers opportunities for using unionization, organizational policy, new protocols, and other strategies to confront the physical and psychological risks of this work which will not simply vanish.

ii. Limitations

As with the majority of studies, the design of the current study is subject to limitations. There are three major limitations in this study that could be addressed in future research. First, the study sought to explore the gendered experiences of the officers. However, each officer expressed their desire to report their understandings from a genderless perspective. Of particular importance, one officer made the choice to speak about their gendered experiences off the record. This is significant.

Coulter and Fitzgerald (2019) have demonstrated that notable gendered dynamics are at work in animal protection work. However, I have been unable to demonstrate any clear and distinct connections to gender throughout this study, limiting the understanding of the officers gendered experiences of the legal terrain. Police and law enforcement work, in particular, is both socially and organizationally constructed as masculine. Animal cruelty investigation work is compounded with a feminized dimension due to large number of women working for the charities that have done the work, and because of the feminization of most animal victims. A different approach could have encouraged officers to make gender more visible.

Given the uncertainty of Ontario's enforcement situation, the officers who participated in this study may or may not be conducting animal cruelty investigation work in the coming months and years. Thus, the experiences of those who take over the

work may shift, stay the same, or decline. A follow-up study to compare the new workers experiences would be beneficial. Coulter and Fitzgerald (2019) have denoted the devaluation of the work itself which stem from animal victims and women workers. The victims will not change, however, the workers may if a publicly-funded enforcement unit is created.

Finally, a larger pool of data would be helpful to understand how the prosecutorial trend is influenced by the decisions and discretionary powers made by prosecution and front-line officers alike. While there is not a standard for determining sample size, Malterud, Siersma, & Guassor (2016, p. 1759) posits that a smaller sample size is desirable if the information the sample holds is relevant for the actual study. In this regard, when considering the sample size in relation to the development of new knowledge there are clear limitations in the how the prosecutorial trend is influenced by the relationship between enforcement and prosecution. A larger pool of data on this would demonstrate a definite set of results. Nevertheless, this study has established a clear connection between the enforcement and prosecution, how specifically workers are constrained, and what they do about it. Most significantly, it has built from workers' experiences to identify tangible ways to improve these jobs in order to better serve people and animals.

Chapter 7: References

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Appendix A: Ethics Clearance



Brock University

Research Ethics Office Tel: 905-688-5550 ext. 3035 Email: reb@brocku.ca

Social Science Research Ethics Board

Certificate of Ethics Clearance for Human Participant Research

DATE: 6/19/2018

PRINCIPAL INVESTIGATOR: COULTER, Kendra - Labour Studies

FILE: 17-400 - COULTER

TYPE: Master's Thesis/Project

STUDENT: Bridget Nicholls

SUPERVISOR: Kendra Coulter

TITLE: Animal Cruelty Officers: The Intersections of Daily Labour and the Law

ETHICS CLEARANCE GRANTED

Type of Clearance: NEW Expiry Date: 6/1/2019

The Brock University Social Science Research Ethics Board has reviewed the above named research proposal and considers the procedures, as described by the applicant, to conform to the University's ethical standards and the Tri-Council Policy Statement. Clearance granted from 6/19/2018 to 6/1/2019.

The Tri-Council Policy Statement requires that ongoing research be monitored by, at a minimum, an annual report. Should your project extend beyond the expiry date, you are required to submit a Renewal form before 6/1/2019. Continued clearance is contingent on timely submission of reports.


To comply with the Tri-Council Policy Statement, you must also submit a final report upon completion of your project. All report forms can be found on the Research Ethics web page at <http://www.brocku.ca/research/policies-and-forms/research-forms>.

In addition, throughout your research, you must report promptly to the REB:

- a) Changes increasing the risk to the participant(s) and/or affecting significantly the conduct of the study;
- b) All adverse and/or unanticipated experiences or events that may have real or potential unfavourable implications for participants;
- c) New information that may adversely affect the safety of the participants or the conduct of the study;

d) Any changes in your source of funding or new funding to a previously unfunded project.

We wish you success with your research.

Approved: 

Ann-Marie DiBiase, Chair
Social Science Research Ethics Board

Note:

Brock University is accountable for the research carried out in its own jurisdiction or under its auspices and may refuse certain research even though the REB has found it ethically acceptable.

If research participants are in the care of a health facility, at a school, or other institution or community organization, it is the responsibility of the Principal Investigator to ensure that the ethical guidelines and clearance of those facilities or institutions are obtained and filed with the REB prior to the initiation of research at that site.

Appendix B: Interview Guide

The following questions/comments were used as springboards for the discussion. Follow-up questions were asked as needed to seek clarification or additional information based on the responses and dialogue, revolving around the same themes.

1. What made you interested in animal cruelty investigation work?
2. How long have you been doing this work?
3. What are your perceptions of the animal cruelty laws?
4. How does the law affect the way you do your job?
5. Do you feel supported by the legal system (the Crown, judges, etc.) to pursue animal cruelty charges?
6. How does plea bargaining impact the way you do your job?
7. What strategies and techniques do you use during the investigation stage?
8. What strategies and techniques do you use to get compliance with orders?
9. What role do your supervisor or co-workers, and, if relevant, your union play?
10. What are some coping strategies you have developed to help you cope with the difficulties of your job?
11. What changes would help you better do your job?
12. Is there anything else you would like to add?